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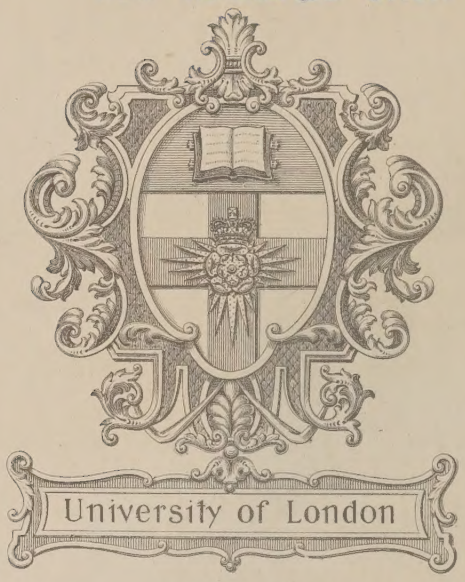

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REPORTS

FROM

COMMITTEES:

SIXTEEN VOLUMES.

—(6.)—

CARLOW ELECTION PETITION;

LONGFORD ELECTION PETITIONS.

Session

31 *January* —— 17 *July* 1837.

VOL. X.

1837.

REPORTS FROM COMMITTEES:

1837.

SIXTEEN VOLUMES:—CONTENTS OF THE

SIXTH VOLUME.

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THE

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMITTEE

ON THE

CARLOW COUNTY ELECTION PETITION.

(*Mr. Arthur Trevor.*)

Ordered, by The House of Commons, *to be Printed,*
11 *May* 1837.

[*Price* 1*s.* 2*d.*]

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MINUTES OF EVIDENCE.

Jovis, 27° *die Aprilis*, 1837.

MEMBERS OF THE COMMITTEE.

Mr. Thomas Thornely.	Mr. Thomas Martin.
The Hon. Pierce Butler.	Mr. Henry George Boldero.
Mr. Richard Walker.	The Hon. Richard Bootle Wilbraham.
Mr. Henry Wilson.	Mr. Philip Henry Howard.
Mr. Thomas Balfour.	Sir Charles Adam.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

For Petitioners:

COUNSEL - - - { Mr. *Thesiger.* / Mr. *Austin.*

AGENT - - - Mr. *Alexander Bate.*

For Parties admitted to defend, and for Returning Officer:

COUNSEL - - - { Mr. *Maule.* / Mr. *Rushton.*

AGENTS - - - { Mr. *Baker*, 29, Spring Gardens. / Mr. *Fitzgerald*, from Ireland.

Mr. *Thesiger* addressed the Committee on behalf of the Petitioners against the election of Mr. Vigors, who complained of the undue election and return of that gentleman to serve in Parliament for the county of Carlow. A Mr. Bessonet superintended the registration, and no improper or disqualified persons were admitted by him to be registered. Mr. Bessonet was removed in 1825, and was succeeded by Mr. Robinson, who made way for Mr. Moody. Mr. Moody held his Session in January 1836, and faithfully discharged his duty, and those persons who had been struck off by the warrant of The Speaker had been refused by him to be again admitted to vote. At the registration in June 1836, Mr. Hudson, assistant-barrister, who possessed peculiar opinions on the construction of the Reform Act, which amounted to almost universal registration, had admitted all those voters that had been before refused by Mr. Moody and Mr. Robinson, and the registration of February last contained their names, in addition to the names of those who, by the decision of the House of Commons, were adjudged not to be good voters, and consequently by these illegal proceedings, and under the undue influence, which would be hereafter detailed in evidence before the Committee, the present sitting member, Mr. Vigors, had been returned. He (Mr. Thesiger) therefore contended that all votes which had been given under these and the other circumstances, which would appear clearly before the Committee in the course of this investigation, ought to be disallowed. After a variety of other observations, Mr. Thesiger concluded by observing, that the present question for the determination of the Committee was, whether or not the Committee were bound by what appeared in the registry books or not; and for the purpose of raising the point, which he was given to understand would be made by Mr. Maule, who appeared on the other side, he would now proceed with the case of the vote of *John Allen*, who was a voter in Class, No. 8.

Mr. *Alexander John Humfrey*, junior, sworn.

Examined by Mr. *Thesiger*.

Mr. *A. J. Humfrey*.

27 April 1837.

1. ARE you clerk of the peace for the county of Carlow?—Yes.

2. Were you so at the last election?—I was.

3. Did you receive the poll-books from the sheriff after the election?—I did.

4. Have they been in your custody ever since?—They have.

5. Have they been carefully kept by you?—Certainly.

6. Are they in the same state now as when they were delivered to you by the sheriff?—They are.

7. Will you give them in?—Yes, with the poll-books and objections.

[*They were delivered in.*]

8. Of course, there is the affidavit of the sheriff?—Yes.

9. These books have been in your custody ever since the election?—They have.

Cross-examined by Mr. *Maule*.

10. You say they have been in your custody ever since they were delivered to you by the sheriff?—Yes.

11. Who has had access to them?—No one has had access to them but the petitioners' agent, or the person deputed by him, his clerk.

12. Do you mean the agent for the petitioners against the return?—Yes.

13. Where have these books and papers been since the election?—They have always been under lock and key in my office.

14. And in what part of the world may that be?—They were kept in Carlow first of all, and then they were locked up in my house in Dublin.

15. Then you mean to say that the petitioners' agent against the bill, petitioning against the return, has had access to these books?—Yes.

16. No one else?—No.

17. Did not the petitioners, in support of the return, apply for an inspection of these books, and apply in vain?—Mr. Fitzgerald told me he wanted to inspect the books, and I said he could see them at any time; I brought them up to Dublin in consequence of The Speaker's warrant, in order that I might bring them here.

18. When was that?—At the assizes, I think.

19. Do you mean to say that no person on behalf of the petitioners has applied to get a sight of the poll-books and was refused?—No one but Mr. Fitzgerald applied to me.

20. Then we are to understand, no one ever applied without getting a sight of the poll-books?—I answered that I had brought them up to town in consequence of the receipt of the warrant, directing me to allow the petitioners to examine it.

Mr. *Thesiger* requested to know for whom Mr. Maule now appeared.

Mr. *Maule* stated he appeared for the petitioners, in support of the return, and also for the sheriff.

21. When did you take these books up to Dublin?—Shortly after the election.

22. And you left them there behind you?—Yes.

23. Then, when any body in Carlow, who wanted to inspect them on behalf of those who support the return, applied at Carlow, are we to understand that on such application he was told he might see them at Dublin?—Yes; I understood there was a likelihood of there being a petition, and I did not wish them to be in any other person's custody except my own.

24. Then you brought them to Dublin, and came down to Carlow, leaving them in Dublin?—I had the key in my pocket, and I locked them up.

Re-examined by Mr. *Thesiger*.

25. I believe you produce the List, No. 8?—Yes.

[*The Witness produced the following document:*]

LIST,

5

LIST, No. 8.

Mr. *A. J. Humfrey.*

27 April 1837.

LIST, containing the Names of 16 Persons who, upon the Trial of the last Petition, complaining of an undue Election and Return for the County of Carlow, were objected to as not being entitled to vote, and whose Votes were determined by the Committee assembled to try that Petition to be bad Votes, and whose Names were duly removed from the Register, in obedience to the Warrant of The Speaker, but who afterwards voted at the said Election for the said *Nicholas Aylward Vigors*, having been again registered upon the same Qualification which had been adjudged to be bad by the said Committee.

Number in Poll-book.	Day of Polling.	Number.	Names.	Barony.	Objection.
46	first -	1	Patrick Nowlan -		
49	first -	2	John Kelly - -		
16	third -	3	John Costigan -	Idrone, West	
15	third -	4	Edward Costigan -		
96	first -	5	Martin Whelan -		
128	first -	6	Edward Comerford		-- The objection to each and all of these persons is the objection stated in the title of this list.
207	second -	7	John Allen - -		
249	third -	8	Patrick Doyle -	Carlow. -	
255	third -	9	Patrick Barry -		
28	first -	10	Michael Bryan -		
27	first -	11	Patrick Bryan -		
351	fourth -	12	Patrick Bryan -		
80	first -	13	John Hickey -	Rathvilly. -	
223	second -	14	John Kelly - -		
202	third -	15	John Kelly - -		
164	second -	16	John Farrell -		

26. Will you be good enough to produce the affidavit of John Allen in that No. 8 List?—I will.

27. It is in Carlow barony?—Yes, this is the affidavit of John Allen; here is also another.

[*Produces them.*]

Mr. *Thesiger* stated, the first affidavit was made in 1832, and indorsed, "Struck out of register by order of Committee." The second affidavit was on the 22d June 1836. In each case he appeared as a 10 *l.* freeholder, and voted for Mr. Vigors, and though objected to on each occasion, the vote was allowed, and he was prepared to prove he had not since changed or altered his qualification.

Mr. *Maule* was heard to object, that this class of voters (No. 8 List), of which John Allen, the voter in question, formed one, could not be entered upon by the Committee, the object of Mr. Thesiger being to prove that this voter, along with the others in his class, was not duly registered on either of the occasions upon which he had voted for Mr. Vigors, and referred to the various sections of the Irish Reform Act, for the purpose of showing that this Committee had no power or jurisdiction to proceed upon the registry in dispute, and contrasted the various sections with those of the English Reform Act. Mr. Maule also referred to the cases of "The county of Carlow (Perry and Knapp, 393)," and the cases of "Youghal and Ennis, unreported," as tending to the same conclusion, that this Committee could not proceed upon the question of this registry.

Mr. *Thesiger* was heard in support of his objection to this class of voters; and, with regard to the cases last quoted, would observe, that the case of Youghal was not reported, and that of Ennis went clearly to prove the contrary of Mr. Maule's arguments, and that the great current of cases was in favour of opening the registry, and adduced the following

Mr. *A. J. Humfrey*

27 April 1837

following eight decisions, which had been reported, to prove his positions were correct:—

Longford - -	Perry and Knapp - - -	674
Galway town - - -	ditto - - - -	302
Galway county - - -	ditto - - - -	511
Coleraine - - - -	ditto - - - -	503
Clonmel - - - -	ditto - - - -	425
Monaghan - -	Knapp and Ombler - -	32
Cork city - - - -	ditto - - - -	274

And the second Carlow case, in which last case the Committee opened the registration, and struck off the very vote whose qualification we are now considering. Mr. Thesiger submitted, this Committee had the power of entering into the question before the Reform Act passed, and that they were not now deprived of that power, except there were express words or necessary implication to the contrary, and in the absence of any such words to take that power away. The construction contended for on the part of Mr. Maule was wholly inapplicable and inconsistent with the other provisions of the Act, and that the Legislature having delegated that power into their hands, he (Mr. Thesiger) submitted the objection now raised by Mr. Maule would not prevail.

The Committee inquired whether it were not possible for the parties to consent to a commission being sent over to Ireland, for the purpose of taking the necessary evidence, to save expense?

The Counsel intimated, such a proceeding was impossible.

Mr. *Maule* then proceeded at great length to address the Committee in reply to the arguments adduced by Mr. Thesiger, contending his objection ought to prevail with this Committee.

Counsel and parties were ordered to withdraw.

The Committee deliberated at half-past five o'clock.

Counsel and parties were again called in, and informed that the Committee had come to the following resolution:

"That the Committee had decided not to open the registry, as affects the case of John Allen."

Veneris, 28° die Aprilis, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

On the Vote of *Patrick Barry* No. 255 on the Poll. Voted third day.

[*The following List of Voters, whom Mr. Austin meant to attack, was handed in.*]

LIST, No. 2.

LIST of Persons improperly allowed to be registered for the purpose of voting, and who did vote at the last Election for *Nicholas Aylward Vigors*, Esquire, to each of whom is objected, by reason that he was not entitled at the time of Registry to Lands or Tenements to the clear yearly value of Ten Pounds, over and above all Rents and Charges.

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
9	first -	1	James Brohan -	Idrone, West -	- - The objection to each and all these persons is the objection stated in the title of this list.
305	second -	2	William Brennan -		
64	first -	3	James Brennan -		
14	third -	4	Michael Brennan -		
15	third -	5	Edward Costigan -		
298	second -	6	John Coady -		
16	third -	7	John Costigan -		

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
128	first	8	Edward Comerford		
31	third	9	Michael Croake		
13	third	10	Patrick Clear		
269	second	11	Peter Curran		
270	second	12	James Curran		
36	first	13	Francis Doran		
63	first	14	Thomas Delaney		
268	second	15	John Foley		
62	first	16	Timothy Heydon		
11	fourth	17	Edward Horaham		
54	first	18	James Headon		
49	first	19	John Kelly		
6	first	20	Jeremiah Kavenagh		
40	first	21	Thomas Lennon		
175	second	22	Thomas Lawlor		
127	first	23	Edward M'Donald		
156	first	24	Marks M'Donald		
193	second	25	James M'Donald		
276	second	26	John Mara		
55	first	27	Michael Murray		
37	first	28	John M'Cabe	Idrone, West	
2	third	29	John Mooney (Monduff)		
158	first	30	John Mooney (Parknatell)		
1	third	31	Michael Mooney		
157	first	32	Edward M'Donald		
3	third	33	Denis Mooney		
46	first	34	Patrick Nowlan		
126	first	35	Edward Nowlan		
296	second	36	John Neill		
97	first	37	Patrick Neill		
306	second	38	John Nowlan		-- The objection to each and all of these persons is the objection stated in the title of this list.
296	second	39	John O'Neill		
263	second	40	Patrick Prendergast		
16	first	41	Luke Roche		
192	second	42	Michael Rice		
275	second	43	Michael Walsh		
25	third	44	Denis Whelan		
96	first	45	Martin Whelan		
250	second	46	Edward Wynne		
30	first	47	Richard Wynne		
24	third	48	Patrick Whelan		
210	second	49	Joseph Aughney		
28	first	50	Michael Bryan		
352	fourth	51	Thomas Bryan		
283	third	52	Daniel Bryan		
27	first	53	Patrick Bryan		
351	fourth	54	Patrick Bryan		
316	third	55	Thomas Bulmer		
78	first	56	John Byrne		
285	third	57	Timothy Bryan		
338	fourth	58	Thomas Boyne		
290	third	59	Patrick Byrne		
340	fourth	60	James Byrne		
182	second	61	Patrick Byrne		
224	second	62	Michael Byrne	Rathvilly	
248	second	63	Timothy Bryan		
233	second	64	Augustine Bryan		
88	first	65	John Barrett		
234	second	66	Edward Byrne		
150	second	67	Thomas Byrne		
256	second	68	Edward Cosgrave		
175	second	69	William Carroll		
160	second	70	John Coudran		
282	third	71	Francis Duffy		
231	second	72	Patrick Drumgoold		
278	third	73	Laurence Doyle		
288	third	74	Patrick Donoghoe		

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Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
147	second -	75	John Dawson -		
158	second -	76	Bernard Dawson -		
118	first -	77	Owen Flusky -		
164	second -	78	John Farrell -		
117	first -	79	Laurence Huskey		
59	first -	80	Matthew Greene -		
299	third -	81	Patrick Holden -		
80	first -	82	John Hickey -		
109	first -	83	George Harman -		
110	first -	84	Arthur Harman -		
77	first -	85	James Headon -		
129	first -	86	Edward Headon -		
222	second -	87	Will[m] Kelly, jun. -		
223	second -	88	John Kelly - -		
184	second -	89	James Kelly -		
334	third -	90	Patrick Kelly -		
291	third -	91	Matthew Kelly -	Rathvilly -	
323	third -	92	Pat[k] Kelly - -		
292	third -	93	John Kelly - -		
9	first -	94	Darby Kavanagh -		
156	second -	95	Edward Kelly -		
90	first -	96	John Lyons - -		
289	third -	97	John Marshall -		
47	first -	98	William Murphy -		
106	thirteenth	99	James Nowlan -		
172	second -	100	John Nowlan -		
220	second -	101	Laurence O'Shea -		
327	third -	102	John Reilly -		
87	first -	103	Patrick Roche -		
195	second -	104	Patrick Lummers -		
205	second -	105	Owen Toole -		
297	third -	106	Phelim Toole -		
227	second -	107	Edward Donohoe -		The objection to each and all these persons is the objection stated in the title of this list.
290	second -	108	Edward Donohoe -		
291	second -	109	Patrick Doyle -		
105	first -	110	Patrick Doyle, Raheen. - -		
228	second -	111	Valentine Foley -		
78	first -	112	John Fitzpatrick -		
116	first -	113	Patrick Farrell -		
289	second -	114	James Kean -		
146	first -	115	Matthew Kavanagh		
304	second -	116	Patrick Kelly -	Forth - -	
184	second -	117	Walter Kelly -		
186	second -	118	John Kelly - -		
183	second -	119	Denis Kelly -		
185	second -	120	James Kelly - -		
23	third -	121	James Kelly -		
292	second -	122	Pat[k] Kane - -		
293	second -	123	John Kane - -		
29	third -	124	Michael Murray -		
295	second -	125	Owen Neill - -		
72	first -	126	James Nowlan -		
207	second -	127	John Allen - -		
255	third -	128	Patrick Barry -	—	
215	second -	129	John Byrne - -		
216	second -	130	John Byrne - -		
249	third -	131	Patrick Doyle -		
149	second -	132	Marks Dunne -		
256	third -	133	Patrick Gall -		
275	third -	134	Patrick M'Evoy -	Carlow -	
208	second -	135	John Mahoney -		
209	second -	136	Simon Mahoney -		
218	second -	137	John Nowlan -		
1	first -	138	Charles Byrne -		
1	second -	139	Rev. Mich[l] Brenan		
1	second -	140	Thomas Brenan - -		
1	third -	141	Thomas Bryan -		
1	third -	142	Mich[l] Carty -		

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
3	first	143	Alex. Corcoran		
3	second	144	Gregory Coogan		
3	first	145	Patrick Caufield		
4	first	146	Thomas Doyle		
3	first	147	Mich[l] Foley		
1	first	148	Laurence Furlong		
5	first	149	Tho[s] Foley		
1	first	150	James Foley		
4	first	151	John Gettings		
2	second	152	Patrick Healy		
3	first	153	Will[m] Joyce		
3	first	154	Luke Joyce		
3	third	155	Tho[s] Kavanagh		
4	first	156	John Kealy		
2	first	157	Bryan Lawlor	Idrone, East	
1	third	158	James Lawlor		
5	first	159	Darby Nowlan		
2	first	160	Martin Redmund		
5	first	161	Sylvester Roche		
2	second	162	Tho[s] Whelan		
166	second	163	John Brydges		
56	first	164	Will[m] Brohan		
167	second	165	Mich[l] Bulger		
8	first	166	Patrick Byrne		-- The objection to each and all these persons is the objection stated in the title of this list.
57	first	167	Andrew Bulger		
19	first	168	John Bulger		
137	second	169	James Corcoran		
106	second	170	Peter Doran		
58	first	171	Step[n] Dowling		
60	first	172	James Dalton		
239	third	173	Thomas Dalton		
126	second	174	James Doyle		
353	fourth	175	Thomas Fitzpatrick		
159	second	176	Will[m] Hunt		
67	first	177	Pierse Joyce		
68	first	178	Henry Joyce		
69	first	179	John Joyce		
169	second	180	J[n] Joyce, Ballymurphy		
66	first	181	Edm[d] Joyce		
99	second	182	Patrick Joyce		
128	second	183	Patrick Kehoe	St. Mullens	
108	second	184	Martin Murphy		
107	second	185	Patrick Murphy		
70	first	186	Michael Murphy		
237	third	187	John Murphy		
109	second	188	Will[m] Murphy		
97	second	189	Patrick Malone		
189	second	190	James Neile		
10	first	191	Daniel Nowlan		
138	second	192	Terence Neale		
178	second	193	John Nowlan		

On the Vote of *Patrick Barry*, No. 255 on the Poll. Voted third day (No. 2 List);—objected to by—

Mr. *Austin*, on the ground that at the time of voting he was not entitled at the time of registry to premises of the clear yearly value of 10*l.*; also objected to in No. 8 List, because he was adjudged by the last Carlow Election Committee not to have registered and voted in respect of such premises, and was accordingly struck off under the authority of The Speaker's warrant; and yet, notwithstanding that decision, the voter in question had again voted. Mr. Austin accordingly proceeded to detail the circumstances.

Mr. *Rushton* was heard to object.

The Committee decided that Mr. Austin should proceed.

Mr. *Austin* stated, that he should go into two cases.

Mr. *Maule* observed, that one vote at a time was sufficient.

28 April 1837.

Mr. *Austin* drew a distinction between the case of the present vote objected to, and the vote of John Allen, and stated that he should show Patrick Barry had never a proper qualification from the time of the passing of the Reform Act down to the present time, and that the qualification he had when first registered in 1832 was objected to at that first registration. The objection was then not allowed, but he could prove this last man's vote, when considered before the last Carlow Election Committee, who sat last year, was disallowed, and was decided by them as never having had a good qualification or title to be on the registry, and in obedience to that report his vote was cancelled by The Speaker's warrant. Notwithstanding that decision, within less than two months from that time he was allowed to be again put on the registry by the revising barrister (Mr. Robinson) in October 1835, that revising barrister not being the barrister who had originally placed him on the list. He was objected to before Mr. Robinson, but the objection was disallowed, the vote and qualification remaining the same as when the House of Commons had directed the vote was bad. Upon being so admitted, at the last election he tendered his vote and was received.

Mr. *Austin* contended, that unless the registry in Ireland was to be so conclusive and final that although a man has never been in possession of a qualification at all from the first moment when the Reform Act passed to this hour, though objected to on every attempt, and removed by the last Committee of this House, and again within two months applying to be registered and again objected to; still under all those circumstances of the greatest possible suspicion, this Committee would resolve, if they refused to entertain this objection, that the Irish registry was such a bar that in such a case of this description, fraught with suspicion, they would decide that the registry was so conclusive that there was no tribunal in this country before whom the objection to this man's vote could be entertained. Mr. Austin, in conclusion, stated that he objected to this voter on two grounds; first, the value class, and from being objected to in 1832, and from having been disfranchised by a Committee of this House.

Mr. *Maule* was heard to object to Mr. Austin going into evidence upon this vote, contending the case was parallel to that of John Allen, decided upon by Committee of yesterday.

The Committee-room was cleared.

The Committee deliberated.

After some time counsel and parties were again called in, and informed that the Committee had come to the following resolution:

Chairman.] I have been requested to inform the counsel and parties, that the Committee have decided not to open the registry as it affects the case of Patrick Barry; and likewise I have been instructed to say, that, in deciding the case of a particular individual, the Committee wish to act on the understanding with the counsel, that they are not to discuss again the cases which come under the same classes.

Mr. *Austin* stated, that he should bow to the decision of the Committee, and would now proceed with List, No. 6.

On the Vote of *John Coady*, No. 298 on the Poll. Voted second day.

LIST, No. 6.

LIST, containing the Names of 35 Persons who, upon the Trial of the last Election, complaining of an undue Election and Return for the County of Carlow, were objected to, as not being entitled to vote, and whose Votes were determined by the Committee assembled to try that Petition to be bad Votes, and whose Names were duly removed from the Register, in obedience to the Warrant of The Speaker, but who afterwards voted at the said Election without having been again placed upon the Register.

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
316	third -	1	Thomes Bulmer -	Rathvilly -	- - The objection to each and all these persons is the objection stated in the title of this list.
290	third -	2	Patrick Byrne -		
256	second -	3	Edward Cosgrave -		
231	second -	4	Patrick Drumgoold		

28 April 1837.

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
288	third -	5	Patrick Donoline -		
299	third -	6	Patrick Holden -		
292	third -	7	John Kelly - -		
323	third -	8	Patrick Kelly -		
222	second -	9	Wm. Kelly, jun. -		
184	second -	10	James Kelly -		
334	third -	11	Patrick Kelly -		
291	third -	12	Matthew Kelly -	Rathvilly -	
289	third -	13	John Marshall -		
327	third -	14	John Reilly - -		
305	second -	15	William Brennan -		
14	third -	16	Michael Brennan -		
31	third -	17	Michael Croake -		
298	second -	18	John Coady -		
12	third -	19	Patrick Connolly -		- - The objection to each and all these persons is the objection stated in the title of this list.
13	third -	20	Patrick Clear -		
269	second -	21	Peter Curran -		
270	second -	22	James Curran -		
268	second -	23	John Foley - -		
11	fourth -	24	Edward Horaham		
1	third -	25	Michael Mooney -		
2	third -	26	John Mooney -		
276	second -	27	John Mara - -		
3	third -	28	Dennis Morney -	Idrone, West	
306	second -	29	John Nowlan -		
296	second -	30	John O'Neill -		
263	second -	31	Patrick Prendergast.		
25	third -	32	Denis Whelan -		
275	second -	33	Michael Walsh -		
24	third -	34	Patrick Whelan -		
275	third -	35	Patrick M'Evoy -	Carlow - -	

Mr. *Austin* stated that the voter, John Coady, entirely differed from the last two cases; the voter had been attacked before the last Carlow Committee, and then removed on the ground of his not being entitled to vote, and thereupon The Speaker issued his warrant to cancel his certificate. His name had never been on the register, and not being registered he tendered his vote and was received. No person, either in Ireland or England, unless truly registered, was entitled to vote at elections.

Mr. *Maule* objected to Mr. Austin entering into this class of voters on the same ground he had hitherto used, and observed he was confident this Committee would adhere to their last two resolutions, contending that the Committee had no right or power to inquire whether the person was registered or not, under the 2d & 3d Will. IV. c. 88. Mr. Maule commented at great length on the various sections of the Irish Reform Act.

Mr. *Thesiger* was heard to contend, the only objection in this instance raised by Mr. Maule ought not to prevail; he (Mr. T.) observed, that the objection to the present vote was quite different from those of the two votes already decided upon, the voter's name not having been in the register at all.

Mr. *Maule* was heard in reply to Mr. Thesiger, and said, the only question for the decision of the Committee was, whether they were justified in holding of John Coady, the vote should not be allowed to be good in 1837, because the last Carlow Committee had decided that in 1835 the vote was bad.

The Committee-room was cleared.

The Committee deliberated. After some time, counsel and parties were again called in, and informed that the Committee had come to the following resolution:

"That the Committee have decided that the counsel for the petition should proceed with the case of John Coady."

Mr. *Alexander John Humfrey*, junior, recalled.

Examined by Mr. *Thesiger*.

Mr. *A. J. Humfrey.*

28 April 1837.

28. YOU are clerk of the peace, as we have heard?—Yes.

29. Do you produce the poll-books of June 1835 at the election of June 1835?—These are them.

[*They were produced.*]

30. Did a person of the name of John Coady, in the barony of Idrone West, vote at that election?—Yes.

31. Mr. *Maule.*] Where did you get that from?—From the office in Carlow; from my office in Carlow.

32. How long have you been clerk of the peace?—Nearly twelve months.

33. When did you first become clerk of the peace?—I can tell you the day precisely; I have my appointment here. [*The Witness referred to a paper.*] It is the 2d of May 1836.

34. Mr. *Thesiger.*] Was your father the clerk of the peace before you?—He was.

35. At the time you became clerk of the peace, were the books and other documents in the custody of the then clerk handed over to you; did they remain in the office; were they there with the other documents, of course, in the office?—Yes, they were in the office at the time I was appointed.

36. Mr. *Maule.*] What was done before you came into the office; am I to understand you to say you do not know?—No; I never examined them.

37. Is there any clerk of the office here, who was clerk during that period when you knew nothing of them?—My father is in attendance, who was the former clerk of the peace.

Mr. *Alexander Humfrey*, senior, sworn.

Examined by Mr. *Thesiger*.

Mr. *A. Humfrey.*

38. YOU were formerly clerk of the peace for the county of Carlow?—Yes.

39. When did you retire from that office?—In May 1836.

40. And then you were succeeded by your son?—I was.

41. At the time you retired from the office, were the poll-books of the election of June 1835 in your custody?—They were.

42. Had you produced these poll-books before the Committee on the petition after that election?—I had.

43. In August 1835?—Yes.

44. And having brought them here, you took them back to Carlow and deposited them among the records there?—Yes.

45. Are these the poll-books you so produced, and which upon your retirement from office were handed over to your son, and left in the office?—They were; there is another, I believe; there are only five there; there is another somewhere.

Cross-examined by Mr. *Maule.*

46. You were formerly clerk of the peace, and retired in May 1836, you say; where did you reside?—In Dublin.

47. And where were these poll-books kept?—In my office in Carlow.

48. And I believe I understand you right, that you came only to Carlow occasionally?—I always went to Carlow at the assizes and sessions.

49. Then, of course, in the intervals between the assizes and sessions you were living in Dublin?—Yes.

Mr. *Maule* was heard to object that the custody of these poll-books arising out of the testimony of Mr. Humfrey, junior, who had stated that he produced the poll-books from June 1835, being clerk of the peace, had not been sufficiently proved; there were long intervals elapsed between session and session in Carlow, and this witness, by his own testimony, admitted, during these intervals, that he resided in Dublin, leaving these poll-books in Carlow, and which, of course, could not be contended on the other side to be proper custody; the two Mr. Humfreys had failed to prove the custody. The Roscommon Committee, in 1835, would not receive the poll-books, inasmuch as it appeared they were not during the entire time in possession of the clerk of the peace. The same dictum was held in Shepherd's book on Elections,

Mr. *A. Humfrey.*

28 April 1837.

Elections, p. 231. Mr. Maule, therefore, contended, these poll-books could not be used in evidence before this Committee.

Mr. *Thesiger*, in support of his claim to have the poll-books admitted as evidence, said he admitted, where it was proposed to produce the poll-books of an election to be inquired into by the Committee, he was bound to prove that the poll-books had been delivered by the sheriff to the clerk of the peace, and that they have been carefully kept by the clerk of the peace from that time amongst the records of the county and without erasure, alteration or obliteration, and Mr. Thesiger would admit that the Roscommon and other cases of that description have decided positively with regard to the mode of custody which should be considered sufficient to authenticate the poll-books, but at the same time regretted that the Roscommon case had found its way into any report at all, because he (Mr. T.) conceived, that a more mischievous decision than the one there came to could have been cited before any Committee, and would request the attention of honorable Members to the facts of that case. In the Roscommon case, it was proved, that the books having been delivered to the clerk of the peace, he had taken them to his office and had carefully locked them up there, and kept them in his own custody until The Speaker's warrant came down to him commanding him to allow an inspection of those books to the agents on both sides. The agents were, accordingly, both permitted to inspect and to take extracts from them; but in consequence of its turning out, upon cross-examination, that during the whole time the agents were making these extracts the clerk of the peace was not in the room, though it was proved by him that the books were precisely in the same state in which he had received them, and though he (Mr. T.) offered to call the agents on both sides to show that they had not made any alteration or erasure in the books, the Committee, in that case, had decided upon not receiving that evidence, and came to the determination that the books had not been so carefully kept as to authenticate them to their satisfaction, and they were accordingly rejected.

Mr. *Thesiger* would trust that the Roscommon case would not be drawn into a precedent, for if it were, it would leave every Irish election in the power of the sheriff, for he would only have to turn his back for a moment and the careful custody would be gone, and there would be an end of every opportunity of petitioning against an undue return. Mr. Thesiger stated, the objection now stated by Mr. Maule was not a case provided for by the Act of Parliament; this was the case of poll-books of a former election, and which stood upon precisely the same footing as any other record.

The Committee intimated, they thought the objection raised by Mr Maule should not prevail.

Mr. *Maule* contended he had a right to be heard in reply.

The Committee decided he should be heard.

Mr. *Maule* accordingly addressed the Committee in reply to Mr. Thesiger's argument, and trusted the Committee would act upon the precedent which had been set them in the Roscommon case, and refuse in this case to act upon the poll-books or receive them in evidence.

The Committee deliberated, and decided that the poll-books should be received in evidence.

Mr. *Thesiger* now stated, he should hand in the following List, which had been given in to the Carlow Election Committee, in July 1835, and in which (No. 70) appeared the name of John Coady.

[*The following List was accordingly handed in and read*:]

LIST,

Mr. *A. Humfrey.*

28 April 1837.

LIST, No. 1.

LIST of Persons registered as Leaseholders, who voted for *Nicholas Aylward Vigors* and *Alexander Raphael* at the last Election, to each of whom it is objected, first, that he was not in possession of the Lands leased to him for Six calendar Months previous to his Registry, under the 2d & 3d Will. IV. c. 88; secondly, that he was a Sub-lessee, and did not take the oath prescribed by that Act, to entitle him to be registered, inasmuch as the words "and that I am in the actual possession thereof" were omitted in the oath taken by him; thirdly, that he was a Sub-lessee and not in the actual occupation of the premises under the Sub-lease in respect of which he claimed to be registered for Six calendar Months previous to his Registry, nor was such Sub-lease a renewal or new Lease of the same premises at the same rent.

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objections.
8	third	1	Jas Brennan (Raheen)		
50	second	2	James Brohan		
74	second	3	James Brennan (John Duffwood)		
20	second	4	Stephen Byrne		
22	second	5	Thomas Bryan		
3	third	6	Michael Croake		
78	second	7	Martin Coady		
70	second	8	John Coady		
49	second	9	Patrick Carpenter		
9	third	10	Patrick Coady		
72	second	11	Patrick Connolly		
93	second	12	Timothy Carpenter		
5	third	13	Thomas Carpenter		
91	second	14	Michael Connolly		
62	second	15	Patrick Clear		
57	second	16	Barnaby Carpenter		
4	third	17	William Connolly		
93	second	18	Timothy Carpenter		
47	second	19	Thomas Carew		
66	second	20	John Doran		
52	second	21	James Doran		
42	second	22	Francis Doran		
58	second	23	Ambrose Doran		
92	second	24	Thomas Delany		
56	second	25	Patk Foley (Monduff)		
54	second	26	Edward Foley		
82	second	27	Luke Foley	Idrone, West	The objections to each and all of these persons are the objections stated in the title of this list.
73	second	28	Patrick Foley (Lackiso)		
64	second	29	John Foley		
59	second	30	Jeremiah Kavanagh		
94	second	31	Michael Kinsella		
2	fourth	32	Pierse Keeffe		
68	second	33	Patrick Lawler		
51	second	34	Thomas Lawler		
88	second	35	James Lawler		
87	second	36	Thomas Lynch		
10	third	37	Nicholas Lyons		
90	second	38	Mark M'Donald		
69	second	39	John M'Cabe		
65	second	40	John Murphy		
4	first	41	Edmund M'Donald		
21	second	42	Michael Mooney		
44	second	43	Michael Mahara		
61	second	44	John Mooney (Monduff)		
66	second	45	James Maher		
63	second	46	Jn Mooney (Parkmakell)		
84	second	47	John Mahara		
85	second	48	Patrick Murphy		
34	second	49	James Murphy		
23	second	50	Patrick M'Nally		
83	second	51	James M'Donald		
80	second	52	Philip Murphy		
89	second	53	Denis Mooney		

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objections.
2	third -	54	Patrick Neill -	Idrone, West -	--The objections to each and all of these persons are the objections stated in the title of this list.
76	second -	55	Martin Neill (Clonmore) -		
45	second -	56	Martin Neill (Banagagole) -		
75	second -	57	John O'Neill -		
52	second -	58	James Rice - -		
43	second -	59	Luke Roache -		
40	second -	60	Michael Rice -		
32	second -	61	James Timmin -		
24	second -	62	Michael Timmin -		
60	second -	63	Patrick Timmin -		
77	second -	64	Richard Wynne -		
86	second -	65	Edward Wynne -		
71	second -	66	Michael Walsh -		
14	second -	67	Richard Doyle -		
7	third -	68	James Lyons -		
46	second -	69	Nicholas Lyons -		
79	second -	70	Michael Maher -		

Mr. *Thesiger* stated, he should now read as evidence an extract from the Journals of this House, containing the Report of the Select Committee upon the Carlow Election Petition.

[*The following Extract was accordingly read:*]

Mr. Charles Barclay, from the Select Committee appointed to try and determine the merits of the petition of William Duckett, &c. of the said town of Carlow, complaining of an undue election and return for the said county, informed the House, that the Committee had determined that Nicholas Aylward Vigors, esq., and Alexander Raphael, esq., are not duly elected knights to serve in this present Parliament for the said county of Carlow:

That Thomas Kavanagh, esq., and Henry Bruen, esq., are duly elected, and ought to have been returned knights to serve in this present Parliament:

That the petition of the said William Duckett and others did not appear to the said Committee to be frivolous or vexatious:

That the opposition to the said petition did not appear to the said Committee to be frivolous or vexatious:

That they have altered the poll taken at the said election, by striking off, &c. (*reads names*), as not having any right to vote, and who ought not to have been placed in the registry of voters.

And the said determinations were ordered to be entered in the Journals of this House.

Ordered, That the Clerk of the Crown do attend this House to-morrow, with the last return for the county of Carlow, and amend the same, by rasing out the name of Nicholas Aylward Vigors, esq., and Alexander Raphael, esq., and inserting the names of Thomas Kavanagh and Henry Bruen, esqrs., instead thereof.

Examined by Mr. *Thesiger.*

50. Do you produce the warrant and order of Mr. Speaker with respect to the number of voters who had been reported to him, and ordered to be struck off?—I handed it over to my son.

51. Did you receive that letter by the post?—I did; there is The Speaker's frank upon it.

52. They all came together; the letter, report and warrant?—Yes.

53. Mr. *Maule.*] Did you receive them yourself?—I did, in Dublin, by post.

[*The following Order was put in, and read:*]

Mercurii, 19° die Augusti, 1835.

The Select Committee appointed to try and determine the merits of the petition of William Duckett, esquire, and others, freeholders and electors of the county of Carlow, complaining of an undue election and return for the said county, have altered the poll taken at the said election by striking off Peter Curran, Patrick Nowlan, John Kelly, Michael Dillon, John Costigan, Edward Costigan, Martin Wielan, Dennis Wielan, Patrick Prendergast, Michael Brennan, Edward Horaham, Patrick Wielan, John Allen, Patrick M'Evoy, Patrick Byrne, John Kelly, James Kelly, Patrick Kelly, Matthew Kelly, Michael Bryan,

Mr. A. Humfrey.

28 April 1837.

Bryan, Patrick Murphy, Patrick Bryan, John Hickey, Patrick Donohoe, John Reilly, Thomas Bulmer, Edward Cosgrave, John Kelly, Patrick Kelly, William Kelly, William Kelly, Patrick Drumgoold, John Farrell, John Marshall, Patrick Holden, Patrick Doyle, Patrick Barry, Michael Kealy, William Brennan, Edward Comerford, John Nowlan, James Curran, Patrick Horaham, James Brennan, James Brohan, James Brennan, Stephen Byrne, Thomas Byrne, Michael Croake, Martin Coady, John Coady, Patrick Carpenter, Patrick Coady, Patrick Connolly, Timothy Carpenter, Thomas Carpenter, Michael Connolly, watrick Clear, Barnaby Carpenter, William Connolly, Timothy Carpenter, Thomas Carew, John Doran, Francis Doran, Ambrose Doran, Patrick Foley, Edward Foley, Luke Foley, Patrick Foley, John Foley, Jeremiah Kavanagh, Michael Kinsilla, Pierse Keeffe, Patrick Lawler, Thomas Lawler, James Lawler, Thomas Lynch, Nicholas Lyons, Mark M'Donald, John M'Cabe, John Murphy, Edward M'Donald, Michael Mooney, Michael Mahara, John Mooney, James Maher, John Mooney, John Magera, Patrick Murphy, James Murphy, Patrick M'Nally, James M'Donald, Philip Murphy, Denis Mooney, Patrick Neill, Martin Neill, John O'Neill, James Rice, Luke Roache, James Timmin, Michael Timmin, Patrick Timmin, Richard Wynne, Edward Wynne and Michael Walsh, as not having any right to vote, and who ought not to have been placed on the register of voters.

[*The Speaker's Warrant was also read, as follows:*]

WHEREAS the House of Commons (on the 23d day of June 1835) did resolve, "That in all cases where a Select Committee appointed to try the merits of an election for any county, city or borough, report to this House that the names of any voters ought not to have been placed in the register of voters, or that the names of any voters have been unduly admitted from such register, Mr. Speaker shall issue his directions thereupon to the clerk of the peace, town clerk or other officer, with whom the register of voters of such county, city or borough is deposited, to amend such register by striking out or adding names to such register, as the case may be, in conformity to the Report of such Select Committee."

I do hereby direct you to proceed accordingly, transmitting herewith for your further guidance in that behalf, the Report of the Select Committee appointed to try the merits of the last election of two knights of the shire to serve in Parliament for the county of Carlow.

Given under my hand the 24th day of August 1835.

(signed) *J. Abercromby*, Speaker.

To the Clerk of the Peace of the
County of Carlow.

[*Also a Letter from Mr. C. Romilly, Secretary to the Speaker, as follows:*]

Sir, House of Commons, 24 August 1835.

I AM directed by The Speaker of the House of Commons to transmit to you the enclosed order to amend the register of voters in your possession for the county of Carlow, according to the Report of the Select Committee accompanying the order, and you will be so good, in acknowledging the receipt, to inform The Speaker of the steps that you may have taken in consequence thereof.

54. Now, in consequence of receiving that warrant, report and letter, what did you do?—I struck the names off the registry book.

[*Mr. Humfrey, junior, produced them.*]

55. Mr. *Thesiger.*] "John Coady, Feemore, struck off by Committee," whose writing is that?—That is mine.

56. Did you strike them off in obedience to the warrant of The Speaker?—I did.

57. Did you do any thing with the affidavit? There are affidavits in possession of the clerk of the peace; did you do any thing with the affidavits of John Coady?—I took them out of the bundle and put them into a separate parcel.

58. You took away these affidavits and put them into a separate parcel?—Yes.

Mr. *Maule* stated, he could not understand for what purpose those could be made use of, the clerk of the peace, as he (Mr. M.) contended, having no right to inquire at the election for any thing whatever, except the certificates

59. (To Mr. *Humfrey*, junior.) Is there any other John Coady in the register for the county of Carlow more than that one?—[*The Witness referred to the books.*] No; I do not see any other but him.

Cross-examined by Mr. *Maule.*

60. What is the history of these books; did you cause them to be made out in your office?—They were made out before I was appointed, as you will see, according to their date.

61. Are

Mr. *A. Humfrey.*

28 April 1837.

61. Are not there a number of duplicates of these always prepared?—There are printed copies and copies taken.

62. Have you got the original affidavits here?—Yes.

63. Not the certificates, of course?—No, certainly not; they are in the hands of the parties.

Edmund Hayes, Esquire, sworn.

Examined by Mr. *Thesiger.*

E. Hayes, Esq.

64. YOU are a barrister, I believe?—I am.

65. Have you attended several registrations in Ireland for the Conservative interest?—I have.

66. Did you attend the registration for Carlow at the October sessions in 1836? I did.

67. I believe you took very accurate notes of all that occurred at that registration?—I should expect they were accurate; I took notes.

68. I suppose you took notes sufficiently accurate to assist your memory on the subject?—I should think so.

69. Do you remember a person of the name of John Coady applying at these sessions to be registered?—John Coady of Feemore—yes.

70. He applied to be registered; was he admitted?—He was not.

71. He was rejected?—He was rejected.

72. Upon what ground was he rejected?—Insufficiency of value.

73. Did you attend as counsel at the election?—I did; I attended as counsel for Mr. Bunberry.

74. Was any objection taken to Coady then, that you remember?—There was.

75. What was the nature of the objection that was taken?—That he had been disfranchised by order of the House of Commons, and that his name did not appear on the clerk of the peace's book, and that he was incapacitated, therefore, to vote.

76. Was he admitted to poll or rejected?—He was admitted.

77. Was the question argued before the assessor?—It was, at great length.

78. Did Coady produce any affidavit or certificate?—I did not see that he produced any in the assessor's room.

Cross-examined by Mr. *Maule.*

79. How long it was argued before the assessor, you cannot say?—No.

80. The question, you say, was argued before the assessor?—Yes.

81. At great length, you say?—It was argued at some length. There was a case previously brought on before Coady's, where a principle somewhat similar was involved, and that case was argued at still greater length than Coady's.

82. The question was fully argued?—Yes.

83. On both sides?—Yes.

84. And listened to by the assessor?—Decidedly.

85. I understand you to say at the election, it was insisted that he should not be allowed to poll, in consequence of his name being struck out of the clerk of the peace's book?—Yes; and having been disfranchised.

86. Was it not insisted upon on the other side, that the House of Commons disfranchising him, as you call it, was not it insisted upon, that the House of Commons had acted upon the impression, that being before registered, it was necessary not only for him to have occupied the land, but to have held the lease for six months?—I am not aware that argument was advanced.

87. Was it not insisted upon, that the objection which had prevailed against him before the House of Commons was being a leaseholder, and that he was not in possession of the land leased to him for six calendar months previous to the registry under the provisions of the Act of the 2d & 3d Will. IV. c. 88?—I am not aware the argument was advanced; I believe it was not.

88. Perhaps you may be able to recollect it. Do you remember when Coady was first registered in 1832; were you present at the registration?—I think I must have been present; I was retained then as counsel on the Conservative side in 1832 also.

89. Did you not yourself upon that occasion take an objection to Coady, that he had not been six months in possession of the land leased to him?—I cannot say; at that time I took no note whatsoever.

90. Then you do not remember whether or not you took any such objection?—I do not remember the case of Coady in particular, in 1832.

E. Hayes, Esq.

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91. Coady was one of a class, was not he?—I am not aware that that objection was taken; I believe he was a tenant of Mr. Vigors.

92. You do not remember that that objection was taken, that Coady, as one of a class, had not been six months in possession of the lease?—That they had not been six months under title?

93. Yes; not being six months in possession of the land, and in possession of a sufficient title at the time of the application?—That, I believe, was argued in many cases.

94. Will you be good enough just to inform me, whether that was not an objection that was taken to a number of persons registered on the side to which you are opposed, that they had not been in possession under title for six months, though they were in possession of the land; and though they had a sufficient title at the time of the application to register?—It was admitted in many cases, that the persons had an investment on the land, some for several years; but they had not a title sufficiently long.

95. Does not that answer "yes" to my question?—To many of them it was, but to others not; some, I believe it was decidedly.

96. You cannot take upon yourself to say whether Coady was one of these?—I have no recollection of Coady's case at all in 1832.

97. Then in 1836; do not you know that since 1832 that that objection has been decided to be invalid?—Since 1832?

98. Yes?—In the Carlow case, I believe, it was decided to be a valid objection.

99. Cannot you tell me, whether since then it has not been decided judicially, by a judge of assize, that the objection is invalid?—I heard a rumour of a decision to that effect, but I know nothing more of it than a rumour; I do not know of it, not even from a newspaper report; it was a flying rumour I heard passing from counsel to counsel. I presume you allude to the decision of Mr. Serjeant Green, when going circuit as judge; he decided against my Lord Chief Justice Doherty.

100. That is very well put in; I did not ask whom he decided against. I believe it is rather difficult to make a gentleman forget the side for which he appears; am I to understand that this was only a flying rumour, as you call it?—Merely a rumour.

101. You stated just now, that the matter was argued at great length; were you alone?—No.

102. How many counsel were there on the other side?—I think I recollect seven young gentlemen.

103. Mr. *Maule.*] Were not you an over-match for them all?—It appears not.

104. Mr. *Thesiger.*] Do you know whether these gentlemen were members of the catholic association?—I am not aware; I never was present at that meeting.

105. Was Mr. Arthur French there?—He was.

106. Do you know whether he is the secretary of that association?—He is generally reputed so; he has not denied it, I believe.

107. Now, my friend has asked something about the leases not being dated six months before the registry; was any question of that kind discussed on the subject of Coady's vote?—At the election?

108. Yes?—Not that I have the slightest recollection of.

109. The objection was entirely on the score of valu was it not, in 1836?—Not a word otherwise; it was altogether upon value.

110. Who acted as sub-sheriff?—At the election?

111. Yes?—I understood the person who seemed to do the duties of the sub-sheriff was Mr. Fitzgerald.

Mr. *Thesiger* stated, he would not at present enter upon this head of inquiry.

112. Was any communication made to you as counsel for Mr. Bunberry on the subject of the appointment of the assessor?—None whatever.

113. Was he appointed without communication with your side at all?—I had heard, several days before, when in Dublin, that the assessor was appointed; I never was consulted upon it.

114. Mr. *Maule.*] I presume you are not in the habit of being consulted on such matters?—Perhaps not.

Mr. *Thesiger.*] That is my case.

Mr.

Mr. *Maule* was heard to address the Committee for the purpose of defending the vote, and that it ought to be allowed to remain on the poll. 28 April 1837.

The Committee-room was cleared.

The Committee deliberated. After some time counsel and parties were again called in, and informed that the Committee had decided that the vote of John Coady was bad, and must be struck off the poll.

Sabbati, 29° die Aprilis, 1837. 29 April 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

[*The following Lists were handed in:*]

LIST, containing the Names of 35 Persons who, upon the Trial of the last Election, complaining of an undue Election and Return for the County of Carlow, were objected to as not being entitled to vote, and whose Votes were determined by the Committee assembled to try that Petition to be bad Votes, and whose Names were duly removed from the Register in obedience to the Warrant of The Speaker, but who afterwards voted at the said Election without having been again placed upon the Register.

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
316	third	1	Thomas Bulmer	Rathvilly	-- The objection to each and all of these persons is the objection stated in the title of this list.
290	third	2	Patrick Byrne		
256	second	3	Edward Cosgrave		
231	second	4	Patrick Drumgoold		
288	third	5	Patrick Dowling		
299	third	6	Patrick Holden		
292	third	7	John Kelly		
323	third	8	Patrick Kelly		
222	second	9	William Kelly, jun.		
184	second	10	James Kelly		
334	third	11	Patrick Kelly		
291	third	12	Matthew Kelly		
289	third	13	John Marshall		
327	third	14	John Reilly		
305	second	15	William Brennan		
14	third	16	Michael Brennan		
31	third	17	Michael Cronke		
298	second	18	John Coady		
12	third	19	Patrick Conolly		
13	third	20	Patrick Clear		
269	second	21	Peter Curran		
270	second	22	James Curran		
268	second	23	John Foley		
11	fourth	24	Edward Horaham	Idrone, West	
1	third	25	Michael Mooney		
2	third	26	John Mooney		
267	second	27	John Mara		
3	third	28	Denis Mooney		
306	second	29	John Nowlan		
296	second	30	John O'Neill		
263	second	31	Patk Prendergast		
25	third	32	Denis Whelan		
275	second	33	Michael Walsh		
24	third	34	Patrick Whelan		
275	third	35	Patrick M'Evoy	Carlow	

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LIST, containing the Names of 11 Persons who, upon the Trial of the last Petition complaining of an undue Election and Return for the County of Carlow, were objected to as not being entitled to vote, and whose Votes were determined by the Committee assembled to try that Petition to be bad Votes, and whose Names were duly removed from the Register in obedience to the Warrant of The Speaker, but who afterwards voted at the said Election for the said *Nicholas Aylward Vigors*, without having been registered Six Months previous to the test of the Writ for the said Election.

Number on Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
256	second	1	Edward Cosgrave	Rathvilly	- - The objection to each and all of these persons is the objection stated in the title of this list.
288	third	2	Patrick Donohoe		
323	third	3	Patrick Kelly		
222	second	4	William Kelly, jun.		
305	second	5	William Brennan	Idrone, West	
14	third	6	Michael Brennan		
1	third	7	Michael Mooney		
2	third	8	John Mooney		
306	second	9	John Nowlan		
296	second	10	John Neill		
25	third	11	Denis Whelan		

Mr. *Austin* stated, in consequence of the decision of Committee on the last vote in yesterday's proceedings, the parties have met together, and the following names of votes had been agreed to be struck off, by consent, on the ground of their not having been duly registered for six months prior to the election.

Michael Croake, No. 17.	Patrick Whelan, No. 34.
Peter Curran, No. 21.	Patrick M'Evoy, No. 35.
James Curran, No. 22.	Patrick Connolly, No. 19.
Denis Moody, No. 28.	Patrick Clear, No. 20.
John O'Neill, No. 30.	John Foley, No. 23.
Patrick Prendergast, No. 31.	Edward Horaham, No. 24.

On the Vote of *Michael Walsh*, No. 33. Polled 2d day. No. 275 in Poll-book.

Mr. *Rushton* said, he thought he could defend this vote.

Mr. *Austin* replied, that he would recall Mr. Humfrey to prove that he was not on the registry, and, therefore, ought not to be allowed to remain on the poll.

Mr. *Alexander Humfrey*, senior, recalled.

Mr *A. Humfrey.*

115. Mr. *Austin.*] WILL you look to the books and see whether Michael Walsh was registered or not; he is No. 33?—Yes; in October 1836.

Mr. *Austin* said that he was then mistaken.

Vote allowed.

[*The following List was handed in as Voters duly registered:*]

William Brennan, No. 15.	John Nowlan, No. 29.
Michael Brennan, No. 16.	Denis Whelan, No. 32.
Michael Mooney, No. 25.	Michael Walsh, No. 33.
John Mooney, No. 26.	

Mr. *Austin* stated, that there were six votes now abiding the result of the present one attacked.

The *Chairman* inquired whether the names included in the last list were the same, or were some other class.

Mr. *Austin* replied, they related to some other class.

On the Vote of *William Brennan*, No. 5. Polled 2d day. No. 305 in the Poll-book.

Mr. *Austin* said that he should attack this vote, and shortly detail the circumstances under which he proposed that this vote should be disallowed.

Mr.

29 April 1837.

Mr. Austin stated, that Mr. Brennan was a voter, in all respects similarly situated to John Coady, with this exception, that John Coady had been registered at the June session of 1836, whereas William Brennan had been re-registered, but in every other respect he was placed under the same circumstances as John Coady, whose vote yesterday had been struck off by this Committee. The question, in this case, for the determination of the Committee was, whether between October 1836 and the period of the election, there had elapsed a date of less than six months, which, if he (Mr. A.) should establish to the satisfaction of the Committee, would fully entitle him to have the vote in question removed from the poll.

Mr. *Rushton* stated, that he must interrupt Mr. Austin with a preliminary objection, as it militated against the exercise of an important privilege on the part of the elector of his elective franchise, and which the law had carefully guarded should be properly protected by very particular and important regulations, and which regulations no Committee had yet ever dispensed with, and which on this present occasion he (Mr. R.) trusted would not be departed from. Mr. Rushton submitted, that before Mr. Austin could proceed into the objection against the validity of the vote now attacked, he was bound to state the particulars of voters against whom he objected, and the specific ground of objection. Mr. Rushton also referred to the 42 Geo. 3, c. 106, s. 3, and the various clauses of 9 Geo. 4 (the Election Act), in corroboration of his objection.

Mr. *Austin* stated, that he had two answers to the objection of Mr. Rushton: first, that the voter in question had been erased from the register; and, secondly, that he was not duly registered within six months prior to the election; and, even if he had been duly registered, the voter could not claim to vote in respect of that re-registering.

Mr. *Austin* further submitted, that no voter in Ireland could vote unless he had been registered for the full period of six months, and that the voter now attacked could not vote, therefore, by virtue of the last registry; neither could he vote by virtue of being on the previous registry, for the question simply for the determination of this Committee was, whether or not his being on the registry, bearing date in October 1836, was a mere piece of waste paper, and was a nullity, and conferred no privilege, and gave him no title to vote. The real question was, whether or not he was registered in June 1836, or upon some previous registry.

Mr. *Rushton* submitted, that the Committee decided in the case of the two votes offered to them on the last day of meeting, that they would not open the registry, and referred to the Acts of Parliament already quoted.

Mr. *Austin* would request the Committee to refer to the registry, which would show that the name of William Brennan was disallowed by the last Carlow Election Committee.

The Committee deliberated; after some time counsel and parties were called in, and informed that the Committee had come to the following resolution:—

"The Committee have decided, that Mr. Austin should proceed with respect to the vote of William Brennan, in class No. 6."

Mr. *Austin* said, in consequence of this decision, himself and Mr. Maule had agreed to strike the votes in question off.

Vote of William Brennan ordered to be struck off accordingly.

The following names were ordered to be struck off the poll by consent:

William Brennan, No. 15.	John Nowlan, No. 29.
Michael Brennan, No. 16.	Denis Whelan, No. 32.
Michael Mooney, No. 25.	Michael Walsh, No. 33.
John Mooney, No. 26.	

Mr. *Austin* stated, that this would make 21 votes off the majority.

29 April 1837. On the Vote of *Thomas Bulmer*, No. 1. Polled 3d day. No. 316 in Poll-book.

Mr. *Austin* said, this vote was in every respect like the vote of John Coady's, having never been re-registered.

Mr. *Maule* said, the facts must be proved.

Mr. *Austin* referred to the warrant of The Speaker, ordering his name among others to be struck off; also the order in the Journals of this House; also referred to the poll-book, and objection to vote.

Mr. *Maule* said, he should wish to examine Mr. Alexander Humfrey.

Mr. *Alexander Humfrey*, senior, recalled.

Cross-examined by Mr. *Maule*.

Mr. *A. Humfrey.*

116. I SEE here a name struck out by order of the House of Commons; against T. Bulmer's name, "struck out by order of H. C.;" can you tell me when that was written?—It was written at the time of being struck out.

117. Are you sure of that, because it is a different sort of ink; is that your own handwriting?—The upper one is.

118. And the lower is some one else's writing?—It is the writing of Robert Brown, the deputy clerk of the peace.

119. When he wrote that down you do not know; I suppose you did not see him write?—[*Referring to book.*] That is my writing.

120. When did you write that?—At the time I struck out the name.

121. When was it you struck out that name?—Immediately after the receipt of the letter of The Speaker.

122. Can you tell me in whose writing are the lists in general?—Different clerks in the office.

123. The writing of different clerks in the office, made at different times?—Yes, according to their registering.

124. Do you mean according to the date of the last column?—This is the registry of 1832. Under the Reform Bill there were certain persons employed in entering them; that is, November and December.

125. In the subsequent pages there are a number of different dates, are there not?—This is all 1832; the handwriting is the handwriting of the deputy clerk of the peace.

126. I want to know whether, from the beginning to the end of the book, the dates are the same or different?—Yes, as far as 1832 it is the same writing.

127. I am not asking you as to the same writing, but whether the dates from the beginning to the end of the books vary?—It is the same registration all along under the Reform Bill; it lasted six weeks or more; October and November, and, I believe, up to Christmas.

128. I see here 26th October 1830, 3d April 1825 and July 1835, what is the meaning of that?—That is according to the times they were registered.

129. You mean, that they were put into this book by different clerks in the office according to the times at which they were registered?—Yes.

130. And the dates are taken from the filing of the affidavits?—They are.

131. I see here "struck off by order of Committee?"—That is in 1832.

132. Then I see "not" against a man's name, yet who is struck out?—There are several of the same name in the lists, and the name must have been struck out by mistake.

133. Then that name was struck out by a blunder?—Yes.

134. That is a sort of thing that will happen?—Yes, perhaps there may be a dozen persons of the same name.

135. And in this instance you happened to hit the wrong name?—Yes.

136. *Chairman.*] What is the name?—Michael Bryan.

The Committee intimated, after so many instances of mistakes, they could not place much dependence upon the books.

Mr. *Maule* stated, that he quite agreed in that opinion.

137. You kept the files of affidavits, of course?—Yes.

138. A bundle of affidavits?—Yes.

139. From which this registry is made out?—I did keep them. I am not clerk of the peace now, I have not been these twelve months past.

140. Now

Mr. *A. Humfrey.*

29 April 1837.

140. Now this book appears to be full of erasures and alterations; does that arise from the carelessness with which it was kept by the clerks in the office?—Several names have been struck off and erased by order of the Committee.

141. I am quite sure you do not mean my question to apply to these names that were struck off by order of the Committee, but other alterations and erasures; this, for instance [*referring to List*]; is this an erasure or not; is this voter on the register or not?—He is off, of course, because the numbers do not correspond; it is No. 60.

142. Otherwise there would be two No. 60's?—Yes.

143. And that is the reason, you think, he is on the register?—I think it is most difficult to read it.

144. Which of the two No. 60's is off is doubtful?—I have not inspected it.

145. Have you the affidavits of all these persons?—The clerk of the peace has.

146. The clerk of the peace then has all in his custody?—Yes, he has them here.

147. Many others, of course; he has the affidavit of Bulmer?—I suppose so.

148. These affidavits are not disturbed or erased?—Not at all; they are forthcoming.

149. And in as good a condition as when first filed?—Yes, exactly, except from their travelling backwards and forwards; we have four petitions.

150. You think they are the worse for time and travel?—Yes; this is the fourth time they have been here.

Re-examined by Mr. *Austin.*

151. You say that there was an error in striking off this man Bryan, and that he was restored?—Yes, of course; on comparison, we found that he was struck out by mistake, and he was accordingly restored; there were several persons of the same name.

152. Have you found any other mistake upon these sheets?—I do not think there are.

153. Be so good to look over them, and see if it is as my friend has examined you about the erasures—[*the Witness examined the book*]—do you find any other?—[*The Witness pointed out one on the book to Mr. Austin.*]

154. Do you consider that an erasure?—I do.

155. That is No. 60?—Yes.

156. Do you find any mistake, except in that instance of No. 60, where the man was struck out; is this page of the register correct?—Yes, it is; it was compared with the affidavits, and ought to be correct. The affidavits are not put up till they are compared with the book.

157. Was it, upon being so examined with the affidavit, that you found out the mistake in Bryan's case?—I suppose so, but I cannot recollect.

158. Would not that be in the course of business?—Yes.

159. And it was rectified when it was discovered?—Yes.

160. In its present state, is that page correct?—Yes.

Mr. *Alexander John Humfrey*, junior, recalled.

Mr. *A. J. Humfrey.*

161. Mr. *Austin.*] Have you got the affidavits with you?—Mr. Baker has them. [*Mr. Baker produced them.*]

The affidavit of Thomas Bulmer, of Rathvilly barony, was put in; corresponding date, 3d November 1832; marked "struck out of the registry" on the back.

Mr. *Maule* said the indorsement of the clerk of the peace was not evidence.

162. Who made that indorsement?—My father, the late clerk of the peace at that time.

163. When you say the late clerk of the peace, what time do you allude to?—In 1835.

164. In August 1835?—Yes.

Mr. *Austin* stated that this was his case, and submitted, the Committee would not allow the vote to remain.

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Mr. *Maule* addressed the Committee in defence of the vote of Thomas Brennan, and stated, that after having heard the evidence which Mr. Austin had adduced, for the purpose of endeavouring to remove the vote now attacked from the list of the sitting member, he should adopt the same line of defence which he had made use of before, which was to object to the sufficiency of that evidence. He (Mr. Maule) apprehended, by the decision the Committee came to yesterday, it would appear that the House of Commons proceeded under the 60th section of the English Reform Act, and applying the proceedings under that, which they had done to the Irish cases, though he (Mr. Maule) would submit erroneously, yet where they have done so, the Committee will not inquire into the due exercise of his power, but hold themselves bound by the judgment of the House of Commons, given under a proceeding in which they would, for the purpose of this inquiry, take the House of Commons to have had jurisdiction. Mr. Maule stated, he did not conceive himself entitled to disturb that decision, although Mr. Austin had yesterday morning obtained a rehearing on the first resolution. He (Mr. Maule) would not dispute the effect of the third resolution, by which the Committee determined, his opponents might show that voters had been struck off the poll and register from the election of 1835, by order of the House of Commons, through The Speaker's warrant. Mr. Maule would therefore trust, this Committee would overrule the objection raised to the vote in question, and declare by their decision that it should be allowed to remain on the poll.

Mr. *Austin*, contra, stated the simple question was an issue of fact, whether or not the voter, Thomas Brennan, had been duly registered six months before the election, and he would leave the case in the hands of the Committee, confident that, when they looked to the various documents before them, they would come to no other conclusion than that the vote now attacked should be removed.

Mr. *Maule* was heard in reply to defend the vote, and stated it was very true the issue joined between himself and his opponent was an issue of fact, from the statement made in the heading of No. 6, but which he would beg the Committee to observe was made in the objector's own language, but which statement would not be taken for granted. Mr. Maule referred to Mr. Halcomb's case in support of his argument (who was Member for Dover), on a question raised relative to costs, for the recovery of which an action had been brought in the Court of King's Bench, and wherein the ruling of the Chief Justice was clearly in favour of the position he contended for. Mr. Maule, in conclusion, begged leave to impress upon the Committee, that the poll-book not being produced on the present occasion, and its non-production unaccounted for, and the poll-book being an essential ingredient to prove the case, the whole case must fall to the ground, and the objection made to the vote by Mr. Austin ought not to be sustained.

The Committee-room was cleared.

The Committee deliberated. After some time counsel and parties were again called in, and informed that the Committee had come to the following resolution:—

"That the vote of Thomas Bulmer be struck off the poll."

Ordered to be struck off.

On the Vote of *Patrick Byrne*, No. 2, in the same List.

Mr. *Austin* stated, in attacking the validity of this vote, that the same arguments he had used with respect to the vote last removed applied to him, and he presumed, therefore, Mr. Maule would have no objection to let him share the same fate.

Mr. *Maule* said it must be first proved.

Mr. *Austin* accordingly referred to the registry, marked "No. 10, Roscat freeholder, 10*l.* value; ditto" (meaning struck off by the Committee). In the poll, the entry of name as follows:—"Patrick Byrne, Roscat, Rathvilly,

villy, 3 November 1832," which Mr. Austin would beg Committee to observe was the same date as register. "Objection made to vote and filed."

Mr. *Maule* stated he should object to the objection paper, as not being a properly authenticated document.

Mr. *Austin* observed they were written by the inspector of the booths, who was a regularly appointed and official person under various Acts of Parliament; but rather than enter into any lengthened argument on the subject, he would withdraw the disputed paper.

Affidavit of registry was then put in.

Mr. *Alexander Humfrey*, senior, recalled.

Examined by Mr. *Austin*.

165. JUST be good enough to explain who wrote that? [*referring to the writing on the back of the affidavit.*]—It was I.

166. And that also?—Yes, that is my writing.

167. When did you write it?—When we separated the affidavits from those struck off and those that were to continue.

168. Did you do so immediately after your return to Dublin?—I think it was done in Dublin.

169. Did you take that affidavit back from the last Committee to Dublin?—I did.

170. And after you got back to Dublin, what did you do?—I mentioned that on the affidavit of each.

171. Do you mean you did that when you got the warrant of The Speaker?—Yes.

172. You wrote something upon each affidavit?—I did, of each barony.

173. Had you produced those affidavits before the former Committee?—Yes, I had.

174. Upon reference to and looking at your memoranda, can you state to the Committee when you produced them first?—I had them all over here, and this is one of those who were struck off by the former Committee; I am sure of it, because I marked it.

175. From your memorandum on the back, and from your recollection, are you certain that you produced it before the former Committee?—Yes, I am.

Cross-examined by Mr. *Maule*.

176. When did you make this memorandum?—When I separated the affidavits that were struck off from those that were in the bundle in the parcel.

177. What is the meaning of "10, Rathvilly, 3 November 1832?"—That is the old indorsement.

178. Patrick Murphy is altered into Byrne; do you consider them as *idem sonan?*—I will tell you if you will let me look at it. Patrick Byrne is the name inside; it was indorsed "Murphy" inside in Carlow; it was corrected immediately.

179. It was a slight bit of a blunder, as you say in Ireland?—It was an Irish blunder; it is very common in our country; perhaps we are not so correct there as you are here.

180. You say you put this "struck off," and, to make quite sure, you wrote it twice over?—Yes, assurance doubly sure.

181. Did you write "struck off by Committee?"—I cannot account for any thing that happened so long ago; I struck it off in consequence of the order of the House of Commons received from The Speaker; I struck it out of the book, and took the affidavit out of the parcel.

182. When was that?—Immediately after the receipt of the order.

183. That was in Dublin, was it not?—I believe it was in Dublin.

184. Had you the poll-books in Dublin?—Yes, this was done immediately after my arrival.

185. Do you mean you did this in Dublin?—Yes, I think so.

186. Are you quite sure about it?—Yes, I am quite sure, because I did not take them into the country for a little while.

 187. Can

Mr *A. Humfrey.*

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187. Can you tell me whether this was written in Dublin or in the country? [*referring to indorsement on the back of the affidavit.*]—In Dublin, of course.

188. Was the whole of this written at the same time?—I cannot tell.

189. Was the whole of it written at the same place; you see there are the words "struck off," and "struck off" again, and then "by Committee;" two negatives will amount to an affirmative, I believe?—It is all in my writing, but I cannot tell when I wrote it.

190. Had you all the affidavits with you in Dublin?—I had.

191. Did you not say "by the Committee" was not your writing?—No, I say it is all my writing, every bit of it.

192. But it is in different ink; just look at it, and see if it is not written with different ink?—I dare say it is.

193. Does not it appear to you to be so?—Yes, part of it.

194. "Struck off" is in one sort, and "by Committee" is in another; can you say whether it was all written at the time, or at different times?—As far as my recollection serves me, it was all written at the same time.

195. Here is an affidavit [*producing same*], what do you say to that?—That was written five years before; that affidavit was indorsed five years ago; the indorsement on that was written in 1832, immediately after the registration; I wrote "struck off by Committee." When the order came to me to strike them off the books, I did so, and that is one of them.

196. Did you have all the affidavits of all the voters with you in Dublin?—I had a few days after the Committee had decided upon them here.

197. Is there any thing in your writing in that affidavit except what you have mentioned?—The name at the bottom is my writing, "clerk of the peace."

198. I suppose that was written when the affidavit was originally sworn?—Yes.

199. On the back of that affidavit is there any other mark of yours?—No.

200. There is nothing more of yours there than "struck off, House of Commons;" "H. C." I believe it is. Did you write "H. C.?"—Yes, it means "Committee, House of Commons."

201. Is that the way you abbreviate their name?—I did not expect it would have been here again.

202. Who was with you when you wrote that?—I cannot tell; I really do not recollect.

203. I want to know whether the agent for the opposite party was not with you, and pointed out that as the affidavit upon which you were to write that indorsement?—Not at all.

204. Was not Mr. Bate with you?—He was not.

205. Was any body with you who pointed out this as the affidavit of Patrick Byrne, and upon which you were to make the entry?—Some of my own family were with me at the time, but no person professionally

206. You must know I am not asking about your family, but whether any body was with you who pointed out this as the affidavit upon which you were to make the entry?—I do not recollect that there was.

207. Mr. Bate was not the person who was with you at the time when you made that entry?—No.

208. Was any body else with you for that purpose? Look at these queries, "query," "query," what is the meaning of that? [*referring to warrant of The Speaker, in the margin of which these words in pencil appeared.*]—That was done in consequence of several names being the same name.

209. Who put these queries?—I did, to ascertain who they were; there is no addition to them at all.

210. Which made it impossible to tell which was which?—Not without particular inquiry.

211. You could not tell from that document which was which?—Not without further search, and ascertaining from the books.

212. For instance, I see there are two John Kellys?—I dare say there are three or four.

213. Though you had not Mr. Bate with you, or any person else, pointing out upon whose affidavit you should make these entries, had not you written directions from any one else?—No.

214. But

Mr. *A. Humfrey.*

29 April 1837.

214. But if you had a number of affidavits of persons of the same name, and one person of that name was told to be struck off, what means of information had you to select the right name?—From the books and from the general information of the registry I had.

215. From the general information you possessed?—Yes.

216. Suppose there were four Patrick Byrnes on the register, and there were four affidavits of Patrick Byrne, and the warrant you received directed you to strike off the name of one; you had no direction which Patrick Byrne you should strike off, more than your general information which was the right one?—I applied for a list of additions, which I never could get; I asked for them often.

217. Whom did you ask?—I believe I applied to Mr. Bate and he never gave it to me; he never furnished it to me. Mr. Bate never saw the affidavits; I never showed them to any body.

218. Then, in effect, you mean to say that you made these queries, in order that you might make some inquiries upon them?—Yes.

219. You stated you could not get copies of the additions; had you applied The Speaker's warrant of the particular names to the original entries in the register? —Exactly.

Re-examined by Mr. *Austin.*

220. Now let me understand exactly the course you pursued: you took the bundle of affidavits to London at the last Carlow Committee, did you not?—Yes.

221. Did you produce the affidavits one after the other, as they were called for by the Committee?—I did.

222. After they had been inspected and used by the Committee, did you take them back again?—Yes.

223. Did you put them into the parcel?—I put them into the parcel with the other affidavits.

224. You say you put them into the bundle or parcel; but did you mix them up with the other affidavits, or keep them separated?—When I arrived in Dublin I struck them off the register and took them out of the bundle.

225. As you took them out of the parcel after you had received The Speaker's warrant, you mean you took out the affidavits, then struck them off the register and marked the affidavits?—I do not know whether I marked them all so or not; I marked the first one.

226. In the same way as you did the preceding one; in the same way as you did in the last case?—Yes.

227. Now I will ask you this: have you any doubt you produced it before the Committee?—Not the least.

228. Before whom the vote of Patrick Byrne of Roscat was decided?—I have not the least doubt.

229. You have not the least doubt it was produced on that occasion?—I have no doubt.

230. And you accordingly struck him off the register?—I did.

Mr. *Austin* stated this was his case, and submitted the Committee would disallow the vote.

Mr. *Maule* was heard in support of the vote now attacked.

The Committee-room was cleared.

The Committee deliberated.

After some time counsel and parties were again called in, and informed by the

Chairman.] The Committee have decided that the vote of Patrick Byrne be struck off.

Lunæ, 1° *die Maii*, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

The majority of votes in favour of Mr. Vigors at the close of the election being 36, and 23 having been removed, the number now in favour of the sitting member is reduced to 13.

Mr. *Austin* said, himself and his friend Mr. Maule had agreed to strike off the following votes, in consequence of the decision of the Committee on Saturday:

Edward Cosgrave	-	No. 256, polled 2d day.
Patrick Drumgoold	-	No. 231, „ „
Patrick Donohoe	-	No. 288, „ „
Patrick Holden	-	No. 299, „ „
John Marshall	-	No. 289, polled 3d day.
John Reilly	- -	No. 327, „ „

On the vote of *John Kelly*, No. 292.

Mr. *Thesiger* proposed to strike off this vote, but—

The Committee said they wished Mr. Thesiger to examine the Messrs. Humfreys respecting the missing poll-book.

Mr. *Alexander John Humfrey*, junior, sworn.

Examined by Mr. *Thesiger*.

Mr. *A. J. Humfrey*. 1 May 1837.

231. WERE you required to produce here before the Committee the poll-books of the last election?—I was.

232. Of 1835?—Yes.

233. I mean the poll-books of 1835?—Yes.

234. Did you take the poll-books from the office and bring them over here?—Yes, I directed the clerk in Carlow to put them up, as I wanted to bring them over to the Committee.

235. Were they sealed up in any way?—They were tied up in a parcel.

236. Now, on the day that you brought them to the Committee, or the day before, did you examine these books to see how many of them there were?—On the morning I brought these books or other papers to this room, I looked at the backs of the books in this manner, and I reckoned six—as I imagined, six.

237. Did you bring these books that you had so reckoned to the Committee-room?—I did.

238. Did you untie them for the purpose of reckoning or counting how many there were?—No.

239. Did you unfasten the bundle?—No, I just merely reckoned.

240. You brought them in the same state in which you had brought them over to the Committee-room?—I did.

241. Did you believe that you brought six books?—I did so, and the reason I believe so is, my father asked me how many books I had brought, and I told him there were six.

242. And you afterwards learnt on the following day that there were only five to be found?—Yes.

243. When the books were brought into this room, were they untied and left here?—I cut the string that tied them, and handed them to that gentleman, the clerk of the Committee.

244. And you find now there are only five?—Yes.

245. Have you any knowledge of what has become of the other?—No; the parcel was lying in this room along with other books the day previously.

Cross-examined

Cross-examined by Mr. *Maule.*

246. Would you have the Committee to understand by your answers that six books were brought here?—Yes; before I left my lodgings with these six books, I took them in this manner, and I reckoned them, and then my father asked me "how many there were," and I said "there were six." I did not untie the parcel.

247. That is not exactly an answer to my question; do you desire the Committee to believe or to understand that there were six books brought into this room?—I mean to say that I reckoned them over at my lodgings, and I brought that parcel into the room.

248. I have no objection, Mr. Humfrey, to your saying you brought them into the room as many times as the Committee may think fit to have it taken down by the Committee clerk, but when you have quite done, I will thank you to answer my question. What I ask you is this, do you wish the Committee to believe, do you mean to swear, that you yourself believe that six books were brought into this room?—I do.

249. On your oath?—I believe that I reckoned six books.

250. I am not asking you that, or of the accuracy or inaccuracy of your reckoning, but do you mean to swear that you believe six books were brought into the room?—I brought the books into the room and reckoned them, but I may have made a mistake.

251. I want to know, on your solemn oath, taken by you, do you now believe that six books were brought into this room, six poll-books of 1835; do you now believe, on your solemn oath, such was the fact?—I cannot give any other answer except what I have done; I know that I reckoned them over at my lodgings; I think I reckoned them so late as 24 hours from the time I brought them over.

252. I do not know, Mr. Humfrey, whether you are aware it is not so easy a thing to drive a man whose business it is to get an answer from repeatedly putting the question till he gets the answer; I want to know, on your oath, whether you now believe that six books were brought into the room; I mean the poll-books of 1835; it is a plain question?—If I reckoned them right, I brought the six into the room; but I might have made a mistake.

253. You see these two books [*referring to two books on the table*]; you have no doubt these are two books?—Certainly.

254. I want to know whether you believe at this moment, or do not believe, that six poll-books of 1835 were brought into the room?—I really do believe that I brought them into the room.

255. The six?—Yes.

256. That is a plain question answered, on your oath, after about twenty minutes—

Mr. *Thesiger* objected to these observations.

257. I distinctly understand you, because that answer not having been given till after having been so much pressed, and at some length, it is possible you may not adhere to your answer. I distinctly understand you to swear, Mr. Humfrey, it is your belief that six poll-books of 1835 were brought into this room?—Yes, sir.

258. Were they tied up?—They were.

259. Had they remained tied up as before?—Yes, I cut the string here.

260. Were they tied up in Ireland?—They were; it is the same string; it was a paper parcel, and I tore it off, leaving the books in the room.

261. Were they in the custody of some clerk?—Of a clerk in Carlow; the deputy clerk in Carlow.

262. You told him to make up some poll-books?—Yes.

263. And you did not count them till you came to London?—No.

264. And you counted them in the way you have mentioned, and believed there were six?—Yes; my father asked me how many there were, and I reckoned six, from looking at the backs of the books; but I did not open the parcel.

265. And may we understand that you were mistaken?—I may, in the hurry of the moment, have made a mistake, but I do not apprehend I did.

266. You may have made a mistake in the counting, if I understand you?—Yes.

267. You did not count them?—No.

268. As you may have made a mistake, and as you find there are only five, do you still believe there were six books brought into this room?—I believe I brought in the identical number that I counted.

269. And you thought you counted six, and might be mistaken?—Yes.

Mr. *A. J. Humfrey.*

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270. Is it not your belief that you brought in either five or six books, whatever was the number actually brought in?—Whatever I got I brought in; I beg to add also, I brought them in one morning, and did not produce them till the next morning, and they lay yonder in one corner of this room by the door till they were wanted.

271. Were they tied up?—Yes.

272. Did they remain without any alteration?—I cannot say.

273. Was there any apparent alteration?—I did not perceive any.

274. Have you never said that one of them was lost in Ireland?—Certainly not; I asked, could it have been lost?

275. You asked your father, probably?—Yes.

276. Did not your father say in your hearing, most likely it was?—No.

277. Nothing of the kind?—No.

278. You asked your father, could it have been lost in Ireland?—Yes.

279. You did not see it in Ireland?—I never referred to them; I was not at that time appointed.

280. Had you seen them in Ireland?—I had seen the parcel.

281. You saw the parcel before it was wrapped up?—I had seen it in a press, in the clerk of the peace's office in Ireland.

282. Was it an open press?—Yes, they were marked "papers of the election of 1835."

283. But you did not count them, to see whether there were five or six or seven?—No.

284. You say you asked your father, whether one could be lost in Ireland; when was that?—When I came to London, since this Committee has been sitting, I was told one of them was not forthcoming here.

285. Did you produce them to the Committee first?—I did, I handed them in.

286. Was not your father called in before this Committee, the late clerk of the peace, and in your presence admitted the books were produced first?—No; I was not present.

287. Were they not produced at first as being all the poll-books at the election?—They were.

288. You and your father were together, standing together here as witnesses at that time?—I do not recollect; I think I was alone; I was called in alone when I produced these books.

289. Was not your father under examination at the time?—Really I cannot recollect whether he was or not.

290. Was not your father standing by at the time?—He might have been behind me; I could not see behind me.

291. You produced them as the whole books of the election?—Yes.

292. And your father pointed out there were only five?—I was told when he came out there was one book wanting.

293. And you asked him whether it could have been lost in Ireland?—Yes.

294. That was only one?—Yes.

Re-examined by Mr. *Thesiger.*

295. How was the parcel tied up?—When it came from Ireland there was a paper cover upon it; they were inside of it, and I tore off the paper in my lodgings; I left the string that tied it up round it; I did not untie it.

296. Was there any seal besides the string, or was the string merely round the parcel?—I do not think there was any seal.

297. You say you brought the books into the Committee the day before they were produced?—Yes.

298. Where did you deposit them?—Behind the door, under a large box lying there.

299. Did you intend them to come into the custody of the Committee?—I did; I spoke to the porter in the room and asked him whether they would be safe if I left them here, as I might be required to produce them.

300. And there they were left; and during the whole of the afternoon and till the following day?—Yes.

301. Did you intend to bring with you all the books of the election of 1835?—Decidedly.

302. And did you believe you had done so?—I believe they were all perfectly correct when I brought them. Mr. *A. J. Humfrey.*

303. Did you not receive express directions from the agents of the petitioners to bring all the poll-books with you?—I did 1 May 1837.

Examined by the Committ .

304. Have you written to Ireland to make any inquiries after the missing book? —The same evening that these books were produced I wrote a letter; at least my father wrote a letter to Carlow to ascertain if the books could have been possibly left behind.

305. Of course no answer has yet been received?—No answer has been received.

306. What is the course of post between London and Carlow?—Five or six days.

307. When do you expect an answer?—The letter was not in Carlow till yesterday evening, that is, if it was in time for the Kilkenny mail; if it was not in time for the Kilkenny mail, the letter would not be in Carlow till this morning.

308. Then on Thursday morning you will get an answer?—Probably.

309. I think when you were under examination by Mr. Maule, you placed your finger on five books?—Yes; just this way.

310. You did not count them before you came here?—No; I am rather near-sighted.

311. It did not strike you there were only five?—I think my father told me there were only five.

312. Did the conversation between your father and you take place in this room? —No; in my own lodgings, the morning after I arrived in London.

Mr. *Alexander Humfrey*, senior, recalled.

Examined by Mr. *Austin*.

313. YOU were the predecessor of your son in the office of clerk of the peace? —Yes. Mr. *A. Humfrey.*

314. Did you resign your office of clerk of the peace last year?—Yes, I did, in May 1836.

315. Did your son thereupon succeed you?—He did.

316. And all the county documents at that time in your possession probably would have come into the possession of your son?—They would.

317. And to the best of your belief did they?—Yes; in the office.

318. Were you the clerk of the peace when the last Carlow Election Petition Committee sat?—I was.

319. Did you produce the poll-books of that election before that Committee? —I produced those poll-books.

320. Did you produce the poll-books of that election before that Committee? —Yes.

321. What date was it; was it in August 1835?—Yes.

322. And the election was in June?—Yes, I believe so.

323. When you produced the poll-books before that Committee, there were the proper number?—Yes.

324. How many were there?—Six.

325. One for each barony?—Yes.

326. Were they all referred to in the course of that investigation by that Committee?—They were.

327. At the close of the election were the poll-books re-delivered to you?—Yes, they were; six poll-books.

328. That was the proper number?—Yes.

329. What did you do with them on that re-delivery?—I brought them back into the office in Carlow, and deposited them there.

330. The office of clerk of the peace in Carlow?—Yes.

331. Do you believe you deposited them safely there?—I do.

332. Did you get any instructions with respect to the poll-books of 1835 with reference to the present inquiry?—It was not mentioned in my note or warrant to bring any thing with me.

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333. I did not ask whether it was mentioned in the order or warrant; you, of course, would be the possessor of them; but did you receive any directions with respect to the poll-books?—

334. Mr. *Maule.*] Was the direction in writing?—There were directions in writing given to me.

335. Mr. *Austin.*] By whom were those directions given?—My son informed me there were directions given.

Mr. *Maule.* We cannot hear that.

Mr. *Austin.* Then you say a paper containing directions—

Mr. *Maule* objected to the question.

336. Well, then, I may ask this: did you see a paper?—I saw a memorandum; my son handed it to me.

337. Your son handed it to you?—Yes.

338. In whose writing was that memorandum?—I believe it was in Mr. Bate's handwriting; I am not very well acquainted with Mr. Bate's writing, but I believe it is his.

339. Did you go to the clerk of the peace's office before you came over on this occasion?—I was down in Carlow at the last sessions; of course I was in the office there. I assisted my son, as he was but a young beginner.

340. Had you occasion then to look at the poll-books of 1835?—No, never, till they were here.

341. Till when had you first occasion to look at them?—When I brought them over this time; I have not looked at them since.

342. Did you give any directions to your son about bringing the documents with him?—I gave directions to the deputy clerk of the peace to include those poll-books, and to send them on to Dublin.

343. Mr. *Maule.*] Were those verbal directions?—Yes.

344. Mr. *Austin.*] By word of mouth?—Yes.

345. Who is the deputy clerk of the peace?—Mr. Robert Brown.

346. He is the deputy clerk of the peace?—He is.

347. You gave directions to him, to do what?—To forward the poll-books from 1835 up to town with the other books; there were several other books.

348. Mr. *Maule.*] You said, to Dublin?—Yes, to Dublin, and then over here; there are several other books which also came.

349. Mr. *Austin.*] The registry books and barrister's books, I suppose?—Yes.

350. Now, you told me before, that you had not seen those books till you came to London?—No, nor since the last election.

351. When did you first see these books in London, and where?—At my lodgings in Cecil-street; it was there I asked my son.

352. Do you and your son lodge together?—Yes.

353. Had your son, upon any occasion, produced the poll-books?—I asked him the question, having the poll-books, how many there were, and he said, five books; and then he looked again and said, six books. I asked him particularly how many he had, and he told me he had six books.

354. You did not look at them yourself to see what the number was?—No, I did not.

355. You did not see them after that time till they were here?—I knew nothing of them till I was asked about them here; since 1835 I have never looked at them.

Cross-examined by Mr. *Maule.*

356. Did I understand you right, that he said five first, and then six?—He first said six, and of course I thought there were six.

357. He did not say there were five first, then?—He did; he said five first, and I desired him to reckon them, and he said six.

358. How did he reckon them?—That I do not know, I was not looking at him.

359. Perhaps you were looking another way?—Probably I might have been.

360. Probably, perhaps, you were not looking at all; you might have your eyes shut; how was it?—I am not in the habit of shutting my eyes unless I am asleep.

361. My question does not apply to your general habits, but you said you were not looking at him; were you looking another way?—I was not looking at him when he was doing it.

362. And

362. And first he said five, and then he said six?—Yes.

363. I suppose you did not take the trouble to see whether his answer was correct?—I do not recollect them at all; I had nothing to say to him; and I did not know I should be examined on this matter.

364. Were they produced before you?—I am not aware.

365. You mentioned there were only five?—I say there were only five when I reckoned them here.

366. Then did not your son ask you whether one of them had been lost in Ireland?—I do not recollect any such conversation.

367. Do you remember your asking your son whether one could be lost in Ireland?—Probably the deputy clerk of the peace forgot to put up the sixth one; I cannot say whether there were six or not.

368. That is your conjecture, that the deputy clerk may have forgot to put up the sixth?—I suppose so.

369. Were they all tied up in Carlow in the same press, or perhaps you cannot tell us how that is?—I cannot, indeed; I never looked at them since the former election, except to extract the names that were knocked off at that time.

370. And then when you had extracted the names, when they all got back again together you cannot tell?—They were all put up in a paper until Mr. Brown sent them up.

371. This press where they were deposited in was an open press, was it not?—There was a lock and key to it.

372. Mr. Brown is the deputy clerk of the peace?—Yes.

373. And actually resides in Carlow, and has the actual custody of these books?—Yes, in the absence of the clerk of the peace.

374. Mr. Brown actually resides in Carlow?—Yes.

375. At the office of the clerk of the peace?—No, the office is at present in the court-house, and where we have moved the papers, and it caused us a good deal of confusion; there was a new court-house built, and we have moved the papers there.

376. You mean you have moved them from the clerk of the peace's office to the new office in the court-house?—Yes, from the old office to the new office.

377. And the deputy clerk, Brown, lives in the court-house in Carlow?—He does.

378. And attends regularly at the office?—Yes, the office is open every day.

379. And you and your son live in Dublin?—Yes.

380. And your son goes down at the assizes and sessions only?—Yes, and whenever there is any public measure or meeting, we go down.

381. And the custody of the papers is with the deputy clerk of the peace?—They are all in the office.

382. Were these poll-books sent up to Dublin at the time, or after the present election?—I think they were sent up afterwards; there was a large number sent up after the poll-books, and I believe my son kept them locked up till he brought them over.

383. You do not know who brought them up?—I brought them up myself.

384. From Carlow?—Yes, they were sealed in a parcel.

385. The poll-books of 1835?—Yes, delivered to me by Mr. Brown, and I brought them up with my luggage to Dublin, and they remained with me, and were never opened till we came to London.

386. You desired Brown to put them up?—Yes, I did.

387. And your belief and conjecture is that he might have made a blunder, and left out one of these books?—That is my impression at present.

Examined by Committee.

388. You carried away yourself the poll-books after the Committee sat in 1835, and carried them away yourself to Carlow?—I did; I brought them all back some time after the election, but I kept them in Dublin for five or six weeks.

389. And then you gave them up to Mr. Brown?—I put them in the office.

390. In what state were they in the office; are you sure the whole six were there?—I am almost positive the whole six were there.

391. Were they sealed up or tied up, or in what state were they?—We did not consider them of any particular value as the business was over, and I do not think they were sealed up.

392. Were they docketed and tied up, and put away?—They were put up in the press.

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393. Were they put together in a separate paper, tied up and docketed, or left quite loose so that they might fall abroad?—They could not fall; they were on the shelf in the press altogether.

394. Were they tied up all together, or left as these papers usually are, or in such a manner that they could separate?—I cannot answer that question.

395 That you do not recollect?—No.

396. From the time they were put up till you delivered them to the deputy clerk, and brought them to London, were they ever in Dublin?—No, we did not want them.

397. Had any body access to them except the deputy clerk of the peace, Mr. Brown?—The clerks in the office have access besides him.

398. But nobody had access but persons connected with the office, is that the case?—No one.

399. Was there any inventory made of the papers you brought up to the Committee in 1835 from the clerk of the peace's office?—No.

400. Was there any inventory made on the return?—Not to my knowledge; not having the custody of the records, I did not think it necessary to inquire.

401. Did you not do it when you had the custody of them?—I cannot recollect; it is two years ago; I do not remember those things at so distant a period.

402. You delivered the parcel to your son when you brought it up to Dublin?—I did.

403. And no examination took place then, whether it was perfect or not?—No, not till we got to London.

404. And you travelled over to London with your son?—Yes, and we opened the parcel the day before we came here, in order to bring them here.

405. And then you asked your son whether they were perfect?—Yes, I asked him if there were six, and he said yes, and I was satisfied, and thought them all right.

406. What made him change his opinion and say afterwards there were five; he changed his opinion from five to six?—I thought he reckoned them.

407. Was he reckoning them at that time?—He was reckoning them.

408. Did he say five before, or had he them in his hand and then said five and then afterwards six?—He afterwards said six; he had them in his hand when reckoning them.

409. And he said that when he had them in his hand?—Yes.

410. The impression upon your mind still is, that one is left behind in Dublin, though your son said there were six?—I should rather think so; I should think they must have omitted to put up the sixth.

411. You stated you were not looking at them?—I was in the room with him.

412. Now you say you saw them in his hand?—He was reckoning them in my presence; I cannot say I was absolutely looking at him, but I was in the room.

413. Had you ever heard previously that one of those poll-books was missing?—Never.

414. Have you written to Carlow to inquire about it?—I wrote on Friday evening to request it might be inquired into.

415. You knew on Friday that there were only five books produced?—No, I did not. I was not aware I should be examined as to the poll-books at all; I thought they were merely for the Committee to look at, and I do not know any thing about them.

416. But you heard on Friday there were only five books?—I think it was on Thursday.

417. You spoke of a new office, I believe; is that a public building or a private building?—It is a public building.

418. It is for public purposes, and not for a private residence?—For public purposes only; it is lately built, and we were removing there.

419. And you have written to Carlow to make inquiries for this missing book?—Yes.

420. And whom did you write to?—To Mr. Baker, in Carlow, to request he would bring it with him, and I find he has arrived this morning in town without it.

421. Do you expect to receive any answer to your inquiries?—I think it is probable I shall; I expect the letter will be taken to Mr. Brown.

422. But

422. But you did not write to any official person?—I wrote in a letter that a gentleman was sending to Carlow, but Mr. Butler had previously left. Mr. *A. Humfrey.*

423. Then you did write by post?—Yes, on Friday evening. 1 May 1837.

Examined by Mr. *Maule.*

424. Did you write to the deputy clerk of the peace?—I wrote to Mr. Butler, who is summoned as a witness, to request he would call on the deputy clerk of the peace, and bring it over with him if it could be found, and Mr. Butler has arrived this morning without having received my letter, but I think the letter will reach Mr. Brown.

425. Did you not know he was about to set out here, and yet you wrote to him, and not the deputy clerk of the peace; why did not you write to Mr. Brown?—That letter, I have no doubt, will be sent to him; it was an open letter, desiring Mr. Butler to make the inquiries.

426. Was it a letter unsealed?—It was in another person's frank; it was just before I left this room I did it.

427. It was directed to Mr. Butler, in a frank that was sent to some other person?—I wrote to Mr. Butler.

428. What was the address outside?—It was on the frank itself.

429. Well, then, what was the address on the frank itself?—The frank, I think, was Mr. Malcomson's, who was writing.

430. Who was he writing to?—He was writing, I think, to the Editor of the Carlow Sentinel.

431. The Editor of the Carlow Sentinel; is he in Carlow or in London?—I believe he is in London; I suppose that is the way he directs his letters.

432. You sent the letter?—No, he said he had room.

433. It was written in a frank, directed outside to the Editor of the Carlow Sentinel?—Yes, I did not write three lines.

434. And the chance of Mr. Brown getting that is the chance of the editor being there and seeing it, and sending it on to Mr. Brown?—That is what I think will be the case. I think the letter was directed for the Carlow Sentinel, not to the editor.

435. Or the paper itself, are you sure which it was?—I am almost sure it was the Carlow Sentinel.

436. Does not that mean the editor?—I do not know what it means.

437. It means the editor, does it not?—It may.

Re-examined by Mr. *Austin.*

438. Will that letter be opened at the office of the Carlow Sentinel?—Of course it will; the man that sent it is here, and he can explain it.

On the vote of *John Kelly*, No. 292; voted third day; place of abode Roscat; the situation and nature of the vote, Roscat, barony of Rathvilly, and the townland the voter held at the time of voting is Roscat. Registered 22 October 1832, as appears by poll-book. Objection made to voter and filed.

Affidavit of registry of *John Kelly* put in.

Edmund Hayes, Esquire, sworn.

Examined by Mr. *Thesiger.*

439. YOU acted, as we have heard, as counsel for Mr. Bunburry at the last election for Carlow?—I did. *E. Hayes*, Esq.

440. Did you, before the election began, or at any time during the course of it, serve on the sheriff and the assessor copies of the order of the Committee for striking off the names, by authority of The Speaker's warrant?—I did.

441. Mr. *Maule.*] Did you examine the copies with the original?—I did; I got them from the clerk of the peace, examined them myself, compared them, and returned them when I saw they were correct to the clerk of the peace, and received them again from the clerk of the peace in presence of the assessor.

442. Do you know whether, in addition to this notice, the copy of the order, and the warrant of The Speaker you served, there was any cautionary notice given

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to these different persons when they came up to be polled?—I drew up a cautionary notice, and had it printed, and gave it to the agent, and desired the inspector should hand them to each disfranchised person as he tendered his vote. When I was in the assessor's room, one of them was brought up by the agent of Mr. Vigors, with a complaint that the poll was disturbed by the serving of the notices on them, and in consequence of that complaint, after some argument, the sheriff ruled it was a disturbance and tended to intimidation, and, therefore, he ordered it to be discontinued.

443. He thought it was a disturbance and tended to intimidation, and it was consequently discontinued?—Yes.

444. And then it was discontinued afterwards?—

445. Now do you remember upon any occasion, any of the deputy sheriffs, coming up on the subject of parties polling without having any certificate or affidavit?—There was one case came up, the case of John Coady of Feemore, as I have stated before on a previous occasion. When the objection came up to the assessor, we argued the point whether he had a right to vote, he having neither affidavit nor certificate, and the entry in the clerk of the peace's book, when produced, appeared to be erased by a pen being drawn across the entry; and I contended, under those circumstances, he could not.

446. Did the deputy sheriff say the party must vote, because he was the same person who appeared in the affidavit of registry?—That was the objection made, that he could not administer to the affidavit, as it was nonsensical; he could not say, "I am the same A. B.," and he objected to it as nonsense.

447. What did the assessor do upon that?—He desired him to go down, as he was too fastidious and too captious in matters of that kind, to administer the oath as it was in the book, and told him not to mind whether it was nonsense or not.

448. Did the assessor at any time produce a paper, a different form of oath, in order to meet the case of persons who had not voted from their certificates?—I do not recollect that; I remember him telling him to administer the oath as he found it.

449. Do you know the writing of the sheriff, Mr. C——— ?—I have seen him write.

450. Is that his writing; do you believe it is his writing? [*Hands paper to Witness.*]—I believe it is his writing, but I have not much acquaintance with it; I have seen him write, and I thought it was peculiar.

Mr. *Maule* inquired whether Mr. Thesiger was about to enter into his case against the sheriff.

Mr. *Thesiger* replied not, as at present he was on the question of the identity of the voter.

Mr. *Maule* submitted it was hardly fair, in discussing the case of a voter, to inquire into the conduct of the sheriff or his assessor.

Mr. *Thesiger* replied, it was only introductory evidence on the question of the vote.

Cross-examined by Mr. *Maule*.

451. You tell us you drew up a cautionary notice?—Yes.

452. Is that according to the form in the Act of Parliament?—No.

453. You are aware of the Act of 1 Geo. 4, which gives a form of cautionary notice?—I have heard of these things, but that is done at the poll. I have had no experience in election matters until after the Reform Act. I was once before counsel.

454. Are you or not aware that there is that notice?—Yes; I believe some cautionary notices are abolished.

455. Are there now no new cautionary notices substituted in their stead?—No.

456. Under the Reform Act, all a person has to do is to produce the certificate or affidavit to be allowed to vote; and then, the Reform Act requires his vote should be taken?—I believe so.

457. Was it upon that ground the assessor decided the cautionary notices should not be given?—No; the ground stated was, that it interrupted the poll and tended to intimidation.

458. And was not a thing sanctioned by the law?—That was what he said; that was the reason stated by him.

459. But

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459. But, in point of fact, did he represent that it was not sanctioned by law; do you recollect that?—No; the sheriff's assessor looked at that part of the Act abolishing cautionary notices, and referred to it; but upon some conference with me, he found it did not bear out his opinion, and he put it upon the other point of intimidation.

460. The Reform Act prescribes certain things to be done, and that is not one?—It was not.

[*The Witness withdrew.*]

Mr. *Elliott* sworn.

Examined by Mr. *Thesiger*.

Mr. *Elliott*.

461. WERE you inspector for Mr. Bunbury in the Rathvilly booth, at the last election for the county of Carlow?—Yes.

462. Did you keep a check-book of the different persons who came up to poll at that booth?—I did.

463. Is that your book?—Yes, it is.

464. Did a person of the name of John Kelly, of Roscat, come up to poll on the third day of election?—Yes.

465. Was he objected to?—He was.

466. On what grounds was he objected to?—His name was marked in my book as having been disfranchised, and that was a part of the objection I put to him.

467. What was the result; was he admitted to poll, or was he rejected?—He was admitted.

468. From what did he vote?—He polled from his certificate.

469. Of what date?—The certificate is dated 22d October 1832.

470. Just look at that [*handing a paper to the Witness*], and tell me whether the certificate corresponds with that affidavit?—So far as the date goes, it does.

471. With regard to the objection, was there a printed form of objection, or a written one, which was sent up to the assessor?—That voter was disfranchised in my barony, after I commenced, with two objections.

472. Is that the objection that you took to the vote of John Kelly? [*handing it to the Witness.*]—That is the identical one.

473. With your signature?—Yes.

474. Just allow me to ask how is it that that objection does not appear to have the initials of the assessor against it?—The first of that class that I sent up was overruled, as I was informed, by the deputy of our booth; but the assessor and the deputy did not send up any of the subsequent ones at all.

475. Was that according to the directions of the assessor?—It was.

476. Mr. *Maule*.] Did you hear the assessor say so?—Yes; I do not know whether I am at liberty to mention, that another class was sent up besides those disfranchised men.

Mr. *Thesiger* objected to any such statements.

Mr. *Thesiger* now proposed that he should read the objection paper.

Mr. *Maule* stated, that he objected to the production of any such document.

477. Mr. *Thesiger*.] Was John Kelly present?—Yes, he was.

Mr. *Thesiger* submitted his right to have the objection paper read as evidence.

Mr. *Maule* was heard to object to any such document.

Mr. *Thesiger*, in reply, was heard in support of the original proposition, that the paper ought to be allowed in evidence.

The Committee-room was cleared.

The Committee deliberated. After a few minutes, counsel and parties were again called in, and informed that the Committee were of opinion that the paper might be admitted.

Mr. *Elliott*.

Mr. *Elliott* further examined.

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478. You say that Kelly was present at the time that objection was made; he came up to poll and was present at the time?—I may explain he was present in this way: when he polled, I said I should take an objection to this man, and I immediately commenced to write it; but he might have gone off the table before it was entered up.

479. Did you state the nature of your objection?—Not out, I did not; I instantly handed it to the deputy.

Cross-examined by Mr. *Maule*.

480. He had a certificate, from which he claimed to poll?—He had.

Mr. *Alexander Humfrey*, senior, recalled.

Examined by Mr. *Thesiger*.

Mr. *A. Humfrey*.

481. DID you produce this affidavit of John Kelly before the last Committee?—I did.

482. Did you, after you received the order and the warrant of The Speaker, strike his name out of the register?—I did.

483. Just turn to the register and see where it is?—It is No. 4.

[*The following Entry was read:*]

"John Kelly, of Roscat, No. 4, struck off by order of the Committee of the House of Commons."

484. Did you also withdraw his affidavit in the usual way, and is that your writing, "struck off?"—Yes, it is.

Cross-examined by Mr. *Maule*.

485. You produced all the affidavits, did you not, before the last Committee?—Yes, I did.

486. You brought them all up here, and amongst them were six or seven affidavits of John Kelly, were there not?—Not so many; I think there was one or two.

487. In Rathvilly; because in the evidence there are six John Kellys; 4, 5, 7, 32, 42, 47, 48; one of them being John Kelly of Roscat?—Yes.

488. And after that, you got the warrant that has been put in evidence; I mean The Speaker's warrant?—I got it before I struck them off.

489. He is marked "query;" he is one of the queried persons on The Speaker's warrant?—Yes.

490. In order to ascertain which John Kelly the warrant referred to, did you make any inquiries?—I did; I looked at the poll-book.

491. Did you not make any other inquiries; because with respect to Patrick Byrne you wrote to Mr. Bates, or made some inquiries of him?—I wrote to him for some particulars of Mr. Bates, but he never gave it me.

492. In order that you might learn which John Kelly you should strike off?—Yes, for general information; I wrote to him, but he never gave me an answer.

493. Who did you write to?—To Mr. Bates, the agent, for the additions of each party that was struck off; the names were there without the additions.

494. And, if I understand you right, until you got that information you did not know which was the right John Kelly?—I referred to the poll-book, and I saw the names of those persons.

495. You said on Saturday that you applied to Mr. Bates for these additions, and upon getting no answer you acted upon your general knowledge of the register?—I have since recollected that I referred to the poll-books.

496. The poll-books of the old election?—Yes, which I had in Dublin with me at the time.

497. And the Rathvilly book was one of them?—Yes.

498. And you had the Rathvilly book at that time?—Yes.

499. In Dublin?—In Dublin I had the six poll-books.

500. That you have recollected since you were under examination before?—Exactly; I was not aware that I should be examined upon this subject at all.

501. You

501. You say that it was your general knowledge of the election that you acted upon?—That was my impression on Saturday, but I have since recollected that I referred to the poll-books.

502. Was your recollection spontaneous, or assisted by some other person who has been with you?—Not assisted by any body; I remember well referring to the books on any doubtful case.

503. And it came into your head since Saturday?—It did.

504. Does it sometimes happen that there are more than two John Kellys on the poll-book?—I recollect that almost all the Roscat people were knocked off for insufficiency of value, and he is one of them.

505. So that the Roscat people, the persons to whom The Speaker's warrant more particularly applied, those were the very persons whose poll-book is not forthcoming, is that so?—So it appears.

506. You know Rathvilly barony, perhaps?—I do pretty well, as well as the other baronies; I know them all pretty well; after 34 years I ought to know them pretty well; I was 34 years clerk of the peace.

507. Are there not a good many John Kellys in Rathvilly?—I believe there are several.

508. Do you know whether there are; you say you have known the county for 34 years?—I have been acquainted with the county generally; I know the county pretty well, generally, as far as the registry goes.

509. You looked at the poll-book, which is not now produced?—Yes, that is my impression of it, and I am almost certain of it.

510. You say you are almost certain of it?—Yes, I am.

511. Do you mean that you are not quite certain?—After two years, as well as my recollection serves me, I did so.

512. I am not blaming you for endeavouring to be correct, but what I want to know is, whether you are quite certain of it, or whether it is a matter of doubt?—I had a list of additions, and I must have taken it from the poll-book.

513. From somewhere or other?—Yes, I think I took it from the poll-book, because nobody else gave me any information.

514. That is the point; I understand your impression is, that you had some information which you think you got from the poll-book?—I never got any other information.

515. The fact absolutely of looking at the poll-books is a thing not actually within your recollection; I think you said you got it from the poll-books, and that you had no other sources of information?—Yes, I made out a list at the time, with the additions of each party, in my own handwriting; after striking them off, I made out the list.

516. You made out a list, of course, of those you struck off?—Yes.

517. Their affidavits would show you who they were, would they not; you had them all there?—Yes.

518. And you could make out a list of the persons, with the additions from the affidavits; there could not be any difficulty about that. What I want to know is, whether you had any previous recollection of the fact of examining the poll-book—the Rathvilly book?—After two years have elapsed, it is impossible to speak of it with perfect accuracy.

519. I do not want any body to recollect what he forgets, but I am supposing that you do not distinctly recollect looking to the poll-book?—To the best of my recollection I did, and examined it, and took the additions from it, because it was less trouble than to look at the affidavits.

520. Could the poll-book tell you which of the two persons, if there were two objections to the persons that were intended to be struck off?—I must have done so, from my own observation.

521. So then, after all, it comes to this, does not it, that you struck off the names of persons, and upon striking them off, you applied the name without addition to The Speaker's warrant to the particular persons; to whom did you apply it; from your own general knowledge or from recollection?—It must have been so.

522. Because the poll-book would not give you that information?—It gave the additions.

523. It would not tell you which man it was; now, suppose there was a John Kelly of A, and one of B, the poll-book would show you John Kellys A. and B., but not the one to which The Speaker's warrant applied?—I am aware six or seven of the Roscat people were struck off.

 524. And

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524. And from that general knowledge it was you struck off those you did strike off?—That, and with the assistance of the poll-book.

525. I thought we were agreed that the poll-book would give you no other assistance than showing you the additions?—That was all that I wanted.

526. Not a little more?—No, nothing more.

527. Those to whom the names without addition applied?—In this case I know the Roscat people were struck off generally; there were six or seven.

528. Were all of them struck off?—Faith, I believe most of them were, except Mr. Timmen, the landlord himself; I believe all the rest were.

529. You will not take upon yourself to say, that all were struck off?—To the best of my recollection they were.

Mr. *Walmisley* sworn.

Examined by Mr. *Thesiger.*

Mr. *Walmisley.*

530. WERE you the committee clerk on the former petition for the county of Carlow in August 1835?—I was.

531. We hear there were lists given in of objected voters. I see against the name of John Kelly, of Rathvilly, the name is to be struck off; whose writing is that?—That is mine.

532. Did you write that as committee clerk?—Yes; there are three, I think, that must have been written at the same time.

533. Patrick, Matthew and John?—Yes; Patrick, Matthew and John; I think that they must have been written at the same time, because I bracketed them.

534. Have you got your minutes with you of the proceedings of the Carlow Election of 1835?—Yes; [*produces them.*]

[*The following Extract from the Minutes of the Committee on Carlow Election Petition of* 1835 *put in and read, as follows:*]

On the vote of *Patrick Kelly*, No. 195, Roscat Freehold, the Barony of Roscat Townland, 23d October 1832; no qualification; voted for Vigors and Raphael; objected to.

Mr. *Bates* recalled, and examined by Mr. *Austin*, as follows:

Did you object to the vote of Patrick Kelly?—I certainly did. [*The Witness refers to a book.*]

[*The Affidavit of Registry produced.*]

Mr. *Malone* recalled, and examined by Mr. *Austin*, as follows:

Did you serve that notice?—I did.
When?—On the 26th July.
On whom?—On Catherine Kelly; that is his daughter.
On the premises?—In the house.

Cross-examined by Mr. *Hill.*

How old is that daughter?—Fifteen or sixteen years of age.
Did you write this at the time?—I wrote it that day; I am sure on that day, on the land; when I came out, it was set down on the land.
That very day?—Yes.
Do you know Patrick Kelly?—Yes.
How long have you known him?—I have known him six years.
You know this girl, Catherine Kelly?—Not before that day; I asked if she was the daughter of Patrick Kelly, and she said she was.
You asked her; you do not know whether she was his daughter?—From her own information.
By Mr. *Austin.*] You did not see her christened?—No.
By Mr. *Austin* to Mr. *Bates.*] Do you recollect Patrick Kelly being examined?—Yes.
Do you know the amount of rent he swore to?—One pound ten shillings per acre.
Did he state the extent of his occupation?—Six acres; I have a perfect recollection.
This case made a sensation?—It was a matter of notoriety, these Roscat men.
A considerable sensation?—Yes.
The Roscat voters is a nickname?—It is a bye-word.
Six acres he swore to?—Yes, at 1 *l.* 10*s.*
To *Malone.*] You were asked as to the value you put on Patrick Kelly's land just now, and you stated it?—Yes.
That evidence was correct?—Yes, it was.

The Committee decided that the vote be struck off.

On

1 May 1837.

On the vote of *Matthew Kelly*, No. 193 on the poll; Roscat Freehold, in the Barony and Townland of Roscat.

Mr. *Bates* examined by Mr. Austin, as follows:

Did you object to Matthew Kelly?—I did.
To Mr. *Malone*.] Did you serve a notice of which this is a copy?—Yes.
Did you serve it on him?—On his servant boy.
On the premises?—In the house.
How old was the boy?—About 17 or 18.
To Mr. *Bates*.] Do you remember Matthew Kelly's statement?—Yes, he says precisely similar to what I said before, about six acres and one rood, at 1 *l.* 10*s.* per acre.

[*The Witness withdrew.*]

The Committee decided that the vote be struck off.

On the vote of *John Kelly*.

To Mr. *Bates*.] Did you object to John Kelly?—I did.
By Mr. *Hill*.] Did they all come up the same day?—John and Patrick certainly did.
To Mr. *Malone*.] Did you serve a notice, of which that is a copy, on John Kelly?—On a woman in the house, Mary Bull.
Is she a servant?—She appeared to be so; she was minding the children in the house.
Did you give the notice?—Yes, and told her to give it to him when he came home.
Did you see him afterwards?—I saw the wife, and told her I had left the notice; I spoke to John Kelly's wife, and told her.
Where did you see her?—In a public-house kept by a man of the name of Dick Wix.

Cross-examined by Mr. *Howley*.

Is it not the custom when a man and woman goes out, a neighbour will come in and look after the children until they return?—She told me she left that woman there to take care of the children until she came back.
The wife told you so?—Yes.

Mr. *Hill* contended that the notice was insufficient, the woman not being a servant.

Mr. *Austin* submitted that it was a good service, being subsequently communicated to the wife.

The room was cleared; after some time parties were called in, and informed that the Committee decided that the service was good.

By Mr. *Austin* to Mr. *Whelan*.] John Kelly is one of the four brothers?—Yes.
Is your evidence with respect to him the same as the others?—Yes.

The Committee decided that the vote be struck off.

Mr. *Thesiger* inquired whether Mr. Maule would, after the evidence that had been now adduced, support the vote in question?

Mr. *Maule* replied, yes, as the evidence he submitted did not entitle the Committee to disfranchise the voter.

Mr. *Maule* was heard to address the Committee in support of the vote, and submitted, on account of the insufficiency of the evidence of Mr. Hayes, and in the absence of the poll-book, the vote should be allowed to remain on the poll.

Mr. *Thesiger* was heard to contend, that Mr. Maule's arguments were fallacious, and the resolution which the Committee came to in Patrick Byrne's case being parallel with the present, that the present vote, which he was seeking to remove from the majority of the sitting Member, should share the same fate.

Mr. *Maule* was heard to reply upon Mr. Thesiger's arguments.

The Committee-room was cleared.

The Commitee deliberated; and after some time counsel and parties were called in, and informed that the Committee had come to the following resolution: "That the Committee have decided that the vote of John Kelly should be struck off."

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The following votes were agreed to be struck off by consent; Mr. Rushton stating that they fell within the terms of the last resolution:

Matthew Kelly, of Roscat, No. brother of John Kelly, the last voter removed.
James Kelly, of Roscat, No. 104, polled second day.
Patrick Kelly, No. 334, polled third day.
Patrick Kelly, of Williamstown, No. 323, polled third day.

On the vote of *William Kelly*, No. of Williamstown; date of registry 28th June 1836.

Mr. *Rushton* stated, that this was decidedly the same case as that of John Allen already adjudicated upon, and submitted that it ought not to be entered upon.

Mr. *Thesiger* addressed the Committee in support of the right to attack the vote.

Mr. *Rushton* was heard in reply.

The Committee-room was cleared.

The Committee deliberated; and after a short time counsel and parties were again called in, and informed that the Committee had decided not to proceed with the vote of William Kelly.

Mr. *Thesiger* stated, that the decision brought them to the end of the class, and that they had struck off 34 out of 35 of the names therein contained, and that, at all events, he had shown that the sheriff was wrong in admitting 34 voters to poll who had been, by order of a Committee of the House of Commons, directed to be struck off. Mr. Thesiger stated, he now proposed to wind up this head of evidence, by showing the mode in which the assessor had conducted himself with this class of voters.

Mr. *Rushton* begged, if any part of the case against the sheriff or the assessor were to be entered upon now, that he should know exactly of what the sheriff was accused.

Mr. *Thesiger* stated, that there was a charge against the sheriff with respect to the appointment and the sanction that he had given to the assessor.

Mr. *Rushton* said, if Mr. Thesiger entered now upon this part of the case, he trusted the Committee would not preclude him from calling the assessor as a witness before them on his arrival in London; but this being a most serious charge preferred against the sheriff, and it now wanting but 20 minutes of the usual time of adjournment, he trusted that they would now adjourn for the purpose of enabling him to determine upon the course he should pursue at their next meeting.

A discussion ensued between the counsel and the Committee as to whether or not the request of Mr. Rushton ought to be complied with, which being negatived in Committee by a majority, the counsel was ordered to proceed.

Mr. *Thesiger* stated that he now proposed to put upon the poll, in favour of the petitioners, a person of the name of Hugh Nowlan, one of the voters included in their statement which had been delivered to the other side, and he (Mr. T.) would shortly detail the grounds upon which he conceived he was entitled to have the voter in question replaced upon the poll-book. It was the case of a person who, having produced his certificate at the time of election, in which he was improperly described, and although the argument at the election had been urged that he might poll from his affidavit, the assessor said that the voter was bound by his certificate, and therefore, from the fact of the certificate being faulty, the voter's name had been removed from the poll.

Mr. *Rushton* inquired whether Mr. Thesiger meant to give evidence in support of his claim to have his name placed upon the poll.

Mr. *Thesiger* replied in the affirmative.

Mr.

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Mr. *Rushton* again reiterated his request for an adjournment, on the ground that this was entirely a new branch of evidence, and for which he was not at all prepared, in the absence of the assessor, and which, from his instructions, he was enabled confidently to assert that he should be able, on the arrival of that gentleman, to refute, and submitted that very little would be gained in time by taking such a case in the absence of the only man who could explain the matter satisfactorily to the Committee.

Mr. *Thesiger* submitted, that the only question now before the Committee was to the right of the voter to be put upon the poll, and was entirely unconnected with any charge against the sheriff or against the assessor, and that he had a right to insist upon this party (Hugh Nowlan) being replaced upon the poll.

Mr. *Rushton* said, that there were six or seven lists of objections, and yet the present case, involving as it did so many important consequences, was pressed into the service, and in the absence of the party most materially interested.

The Committee intimated, that they felt themselves bound to have the case proceeded with.

Mr. *Joseph M. Reide* sworn.

Examined by Mr. *Thesiger*.

Mr. *J. M. Reide.*

535. YOU were one of the deputy sheriffs, I think, at the last election for Carlow?—Yes, I was.

536. Were you in the Idrone East and Forth booth?—I was.

537. Do you remember Hugh Nowlan coming up the first day; I think he was the fourth person who came up to poll?—I do not recollect that man's name.

538. Just look at that book, if you please; have you got any thing by which you can refresh your memory on the subject?—The poll-book may probably refresh my memory.

539. Just be good enough to look at it?—

Mr. *Rushton* was heard to object to the admissibility of the statement in evidence, on the ground of its technical inaccuracy, and that it was an imperfect description, and not in compliance with the provisions of the Acts of Parliament of the 42d & 47th Geo. 3, which provide, that all parties giving in lists of objections must give the name of every voter specifically, and the particular objection.

Mr. *Thesiger* stated, that there was no ground for the objection now stated, for that the petitioners were compelled to give in a statement of the grounds upon which they insisted that the voters rejected by the assessor ought to have been allowed to vote at the election, and that the present voter being entitled to exercise his privilege of voting, and having been rejected, and he (Mr. T.) was entitled to have him replaced upon the poll.

Mr. *Rushton* was heard in support of his objection, and observed, that the statement not having been described with sufficient accuracy, he was entitled to sustain the objection.

The Committee-room was cleared.

The Committee deliberated; after a short time counsel and parties were again called in, and informed that the Committee had decided to overrule the objection, and that Mr. Thesiger should proceed with his case.

Mr. *Alexander Humfrey*, senior, recalled.

Examined by Mr. *Thesiger*.

Mr. *A. Humfrey.*

540. WILL you be good enough to produce the affidavit of Hugh Nowlan, of Newtown, in the barony of Idrone East?—I will; what number is it?

541. No. 4?—I have it; here it is.

[*Produces it.*]

Mr. *A. Humfrey.*

1 May 1837.

Cross-examined by Mr. *Rushton.*

542. You produce that affidavit?—I do.

543. Were you present when he voted?—No.

Mr. *Joseph Fishborne* sworn.

Examined by Mr. *Thesiger.*

Mr. *Jos. Fishborne.*

544. I BELIEVE you are a freeholder in the county of Carlow?—I am.

545. Were you present at the election at the time Hugh Nowlan came up to vote the first day?—I was.

546. Was Mr. F. the inspector for Mr. Vigors in the Idrone East booth?—I cannot say that he was employed by Mr. Vigors, but he was inspector there in that booth.

547. Was an objection taken to Nowlan, and what was the objection?—There was an objection taken, but I cannot identify it.

Cross-examined by Mr. *Rushton.*

548. What the nature of the objection was, or what it was, you do not know?—I do not know.

Edmund Hayes, Esq., sworn.

Examined by Mr. *Thesiger.*

E. Hayes, Esq.

549. WERE you present at the time when that objection was taken to Nowlan's voting?—I was present in the assessor's room when it came out to be argued.

550. Mr. *Rushton.*] Were you in the booth when he voted?—No.

551. Mr. *Thesiger.*] But was the objection sent round?—That was the objection paper that came up to the assessor, and was to be argued upon.

552. And did you argue upon that objection before the assessor?—I did.

553. What was the objection that was taken then?—The objection that I understood was, that he had polled in the barony of Idrone East, and his certificate said it was in Mullens, and therefore that he should not be allowed to poll; and my argument being held to be a defective argument, I requested he should be allowed to withdraw it, and return upon the affidavit.

554. Then the affidavit was correct?—Yes.

555. What said the assessor to that?—He said that he would hold him to the document that he first produced.

556. Did he act in the same way for Mr. Vigors?—Why, it appeared to me there was a slight difference; I can state the fact, and gentlemen came up to vote.

Mr. *Rushton* was heard to object that this class of evidence respecting the sheriff or his assessor could not be entered into, in conformity to the resolution of the Committee.

Cross-examined by Mr. *Rushton.*

557. Had he polled?—Who?

558. Nowlan?—It depends a good deal upon the meaning of the word polled; he stated for whom he voted; it is the ordinary course that a voter should state for whom he wishes to vote.

559. When a man has stated for whom he wishes to vote, he has given his vote, has not he?—He has done his best; he is not counted upon the poll.

560. Was he not asked for whom he had voted?—I cannot say, as I was not in the room.

561. Who took the objection; as it was started, it was to be argued, of course?—Yes.

562. And the assessor stated that he had polled upon his certificate?—He said that he would hold him to it.

563. Was he polled upon his certificate?—Yes; he was admitted before.

564. And it was stated by the assessor that he would hold him to his first document; that is so, is it?—It was admitted the man produced his certificate in the assessor's room.

565. And

565. And what was then said?—When he found from the case stated that the certificate was defective, he wanted to say he would poll upon his affidavit; it was the same transaction. *E. Hayes*, Esq. 1 May 1837.

566. And you do not know what took place at the booth?—No, except from what was stated in the booth.

Re-examined by Mr. *Thesiger*.

567. Do you know why Nowlan was struck off the poll?—

Mr. *Rushton* was proceeding to object to the question, when The Speaker being announced to be in the chair, the Committee adjourned.

Martis, 2° *die Maii*, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

On the Vote of *Hugh Nowlan*—resumed from yesterday.

Mr. *Thesiger* stated, in proceeding with his case, he found it to be impossible, consistently with the interest for which he appeared, not to avoid entering fully into the charge which he had to make against the sheriff and assessor. 2 May 1837.

The *Chairman* asked whether there was not a difficulty in the absence of the assessor, and whether they could not engage on some other vote.

Mr. *Thesiger* stated, the only question was, whether a person whose certificate was incorrect, having produced his certificate, was to be allowed afterwards to fall back on the affidavit, and say he would poll from that affidavit, and whether, if that party having been rejected by the sheriff is by mistake put on the poll, it was competent for the sheriff at the close of the poll, and after he had been on the poll three days, to take him off.

Mr. *Rushton* stated, on the arrival of the assessor, he was instructed to say he would be completely removed from every shade of impropriety.

The *Chairman* observed, the Committee yesterday went on with the understanding that the counsel did not affect, for the present, the case of the sheriff, and it was for them now to decide whether or not they should be allowed to proceed or not.

The Committee said, that they would deliberate for the purpose of determining whether or not they should adjourn till to-morrow or Thursday, to give time for the arrival of the assessor.

Counsel and parties were ordered to withdraw.

The Committee deliberated.

After a few minutes counsel and parties were again called in, and informed by the Chairman,—"We think, as Mr. Walsh's character is materially affected in this case, it is a proper course that we should adjourn till to-morrow, at 11 o'clock."

Mr. *Thesiger* now requested the adjournment might go over until Friday.

A discussion ensued between the counsel with respect to this later adjournment, which finally ended in Mr. Maule declaring, rather than adjourn over till Friday, he would now go on.

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Mr. *Thesiger* stated, that he should now read the following letter from Mr. Vigors; also the affidavit of John Coffey, of Carlow:

My dear Sir, Court-house, Carlow, February 18th, 1837.

I request that, in the case of Hugh Nowlan, of Newtown, whose name by mistake was placed on the poll in favour of Mr. Bunbury, you would direct such name to be erased from the poll-book, the same Hugh Nowlan's vote having been disallowed.

I am, my dear Sir, your obedient servant,

N. A. Vigors.

To Geo. R. Keogh, Esq. High Sheriff
of County Carlow.

County of Carlow, to wit. Carlow Election, 1st May 1837.

John Coffey, of Carlow, in the county of Carlow, gentleman, one of the deputy sheriffs appointed under the provisions of the several Acts for taking votes in the barony of Idrone East, at the election held at Carlow on the 14th day of February 1837, maketh oath and saith, that on the 15th day of February instant, an elector, named Hugh Nowlan, of Newtown in the said county, came and tendered his vote for Mr. Bunbury, one of the candidates at the said election, and that an objection to the said vote was made by one of the agents of Mr. Vigors, the other candidate of said election, and that in pursuance of instructions given to me as such deputy sheriff as aforesaid, this deponent sent such objections to the assessor's room, and that such vote was disallowed by and on the decision of the said assessor: This deponent further maketh oath and swears, that in making up his returns as such deputy sheriff as aforesaid at the close of the poll on the said 15th day of February, by mistake, and not wilfully, entered the said vote in the proper book for such entries, as if the said vote had been allowed, and not disallowed by the said assessor, and that his return of the votes polled for the said Mr. Bunbury during the said day was so far incorrect, and that one more vote was recorded in said book as having been polled for the said Mr. Bunbury on the said 15th day of February, as also on the 16th and 17th days of said month, than should have been recorded; and this deponent further maketh oath and swears, that upon a further inspection of the said book, the said objection upon this the 18th day of February and during the continuation of the said election, this deponent became aware of the said mistake and of the error which the deponent had committed in entering the said vote as aforesaid; and this deponent thereupon immediately communicated the same to the said assessor, and showed to him the said objection to the vote of the said Hugh Nowlan, which the said assessor had so directed to be a good and valid objection.

(signed) *John Coffey.*

Sworn before me, at Carlow, this 18th day of February 1837, a magistrate of the said county of Carlow; and I know the deponent.

(signed) *Walter Blackney.*

Mr. *Thomas Crawford Butler* sworn.

Examined by Mr. *Thesiger.*

Mr. *T. C. Butler.*

568. WERE you inspector for Mr. Bunbury in the booth of Idrone West, on the last election for the county of Carlow?—I was.

569. Do you remember at any time the voter coming up to poll for Mr. Vigors and producing a certificate or affidavit of register of 1836?—I do.

570. Was any objection made; was it sent up to the assessor?—It was.

571. Was that person afterwards permitted to poll from his affidavit of 1832?—No; not from his affidavit.

572. From his certificate?—From the entry, although he polled on his certificate.

Mr. *Maule* objected to this course of proceeding.

Mr. *Thesiger* stated, that he proposed to show the Committee the assessor had no right to take it off the poll.

Mr. *Maule* was heard in support of his objection to Mr. Thesiger proceeding with this vote at present, and stated, the question was, whether the vote had been properly left on the poll, and which would not depend upon the motives with which it was done, but the legal results that arose from the act; if he was registered for six months before the election, and if not subsequently disqualified, and did every thing that amounted to a legal voting,

voting, then the voter in question ought to be put on the poll. Mr. Maule, however, contended, in the absence of these facts, that the vote ought not to be allowed.

The Committee-room was cleared.

The Committee deliberated.

After some time counsel and parties were again called in, and informed by

Chairman.] "The Committee have desired me to inform you, that the decision of the assessor on another vote is admissible in the case of Hugh Nowlan; but at the same time, the Committee wish it to be understood, that they confine it to the decision of Hugh Nowlan only."

Mr. *Thomas Crawford Butler* recalled.

Examined by Mr. *Thesiger.*

573. DO you remember the last day of the election for Carlow?—I do.

574. Do you remember the circumstance of Hugh Nowlan's vote being taken off the poll?—I do.

575. At what period of the day was that?—It was between a quarter and half-past six.

576. On the last day of the election?—On the last day of the election.

577. Had the sheriff himself voted at that time?—I cannot say.

578. Had he made proclamation for closing the poll in any of the booths?—Yes; he had twice in my booth, the assessor with him.

579. Had the amount of the gross poll been ascertained?—It had.

580. Had Hugh Nowlan's vote been counted among the others that had voted for Mr. Bunbury?—At the time you speak of, it had.

581. Do you remember an affidavit of John Coffey being produced?—I remember a paper to have been produced.

582. Were you present at any time when any body was settling any thing with regard to it?—The morning before a paper was prepared by the counsel for Mr. Vigors.

583. What was the name of the counsel?—I think it was Mr. Tighe.

584. *Committee.*] Was this on the 17th?—Yes; purporting to be an affidavit to have been sworn by the deputy sheriff.

585. Mr. *Thesiger.*] Did the assessor give any instructions or recommendation with regard to the mode in which it was to be prepared?—I recollect the draft being sent over to him, and he looked it over, and at that time made the remark that it was not sufficient.

586. The assessor did?—The assessor.

587. Did he, in your presence, state what sort of affidavit would be requisite?—He mentioned something to a gentleman, but what it was I do not know.

588. Was it to Mr. Tighe?—Yes; he only made the remark that that would not do.

589. That was the remark that you heard?—Yes.

590. Were you present——

Mr. *Maule.*] I do not know whether the Committee intend to go into the case of the conduct of the assessor at all.

Chairman.] Certainly; having cleared the room, and the Committee having decided upon that case, I think I am justified in telling you, that the conduct of the assessor, so far as it affects the case of Nowlan, is not at all applicable to the decision of the Committee.

591. Mr. *Thesiger.*] Did the assessor, in your presence, suggest any thing to Mr. Vigors about a letter being written by him?—Immediately before the vote was taken off, he turned round to Mr. Vigors, and said to him, "You present a letter to me, and require this voter to be taken off," meaning Nowlan.

592. Are you sure it was after six o'clock that Nowlan's vote was taken off?—I am quite sure of it, otherwise it would have made no impression upon me. I was attending in the assessor's room with my books to tot up at the end of the day.

593. You were attending at the assessor's room to ascertain the total amount?—Yes.

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Cross-examined by Mr. *Maule.*

594. You were attending to ascertain the total number?—Yes.

595. Was it before the total number was finally and ultimately ascertained?—Before it was declared, not before it was ascertained.

596. Was it written down first, then?—O yes.

597. Before any thing was said about Nowlan's vote?—Not before any thing was said, but before any thing was done.

598. Do I understand you, Mr. Butler, to say, that before the numbers were cast up and written down, the question whether Nowlan's vote ought or ought not to be on the poll, was raised?—It was.

599. Was it not insisted upon, on behalf of Mr. Vigors, that this voter had been written down improperly, or by mistake, on the poll?—I heard some talk of that.

600. Were you informed of that on the part of those who said his vote should not be allowed?—I believe so.

601. When you say you believe so, did you attend sufficiently to what went on to be able to tell us what did take place?—I do not recollect any thing more than what I have already repeated which took place, for the poll had been ended.

602. It was after the numbers had been cast up; but before the numbers were written down it was objected that Nowlan's vote was improperly counted, and ought not to be counted?—It was after the numbers were ascertained.

603. But before they were written down?—Yes.

604. Then they were written down; when were they written down; they were written down without counting Hugh Nowlan's vote, were they not?—Counting Nowlan's vote.

605. Counting Nowlan's vote?—Yes.

606. Who wrote them down?—I wrote down my numbers myself.

607. Who wrote them down on the original poll-book?—As to the original poll-book, I know nothing of it.

608. Mr. Butler, did you suppose when I was asking you about the casting up of the numbers, I meant your own private memoranda?—No, the assessor's own memoranda he had before.

609. I am speaking of the poll?—Yes.

610. And as to these books, you tell me you know nothing at all about them?—No.

611. What was insisted on behalf of Mr. Vigors was, that Nowlan's vote ought not to be counted on the poll, was not that so?—Most decidedly.

612. And as to whether it was added up, by being counted on the poll or not, you cannot tell?—No.

613. That adding up you speak of was your own adding up, as inspector?—Yes, and the assessor's own adding up on a sheet of paper.

614. His own memoranda?—Exactly so.

615. When was the day this took place; this totting up?—The first day, about 25 minutes past six.

616. What o'clock do you say—six o'clock?—I say it was 20 minutes, very nearly half-past six o'clock.

617. Perhaps you pulled out your watch at the time?—Indeed I did, it struck me so forcibly.

618. You said it was 20 minutes past six o'clock?—I said no such thing; I said between a quarter and half-past six.

619. If this remarkable circumstance had struck you so forcibly, one would have thought you could have recollected the time exactly?—I know that I compared my time even with other watches, and it was very nearly half-past six.

620. Was not it a little more than that?—No, it was not.

621. It was not getting towards a quarter to seven?—No.

622. Quite sure?—Yes, I am positive.

623. Did you take any memorandum of it down at the time?—No, Sir.

624. You did not take any memorandum of it at the time, that you are quite sure about?—I did not.

625. You say you compared watches; did you compare watches and tell people for what purpose you did so?—I did.

626. Did you find all the watches you compared with agree with yours?—Very nearly, not more than a minute or so between the time.

627. Who

627. Who were those persons; can you tell me any of them; are any of them here?—I do not think they are, I think Counsellor Hayes and I compared. Mr. *T. C. Butler.*

628. You think you and he did?—I think so, and if you had been there, you would have seen 20 watches out at the time. 2 May 1837.

629. At all events, you pulled out yours?—I did.

[*The Witness withdrew.*.]

Edmund Hayes, Esq., recalled; and sworn.

Examined by Mr. *Thesiger.*

630. DO you remember, on the subject of the vote of Hugh Nowlan, the affidavit of a person of the name of Coffey, the deputy sheriff; do you recollect there being an affidavit of that description?—Yes. *E. Hayes*, Esq.

631. Were you present at any time?—

Mr. *Maule.*] I thought you called this gentleman yesterday to prove tis case?

Chairman.] I believe there can be no objection to go on.

632. Mr. *Thesiger.*] Were you present at the time the draft of that affidavit was in preparation?—Yes, I was; I saw Mr. Tighe preparing a draft affidavit.

633. You saw Mr. Tighe, the counsel for Mr. Vigors?—He appeared to act as such.

634. Was the assessor, Mr. Walsh, present at the time?—He was.

635. Did he interfere in any way?—I saw him lean over the table, and give some instructions to Mr. Tighe, with respect to it.

636. Mr. *Maule.*] Did you hear what was said?—I did hear some, and it not being a matter in which I was concerned, I, of course, retired to the fire, and did not persist in overhearing a conversation in which I had no concern.

637. Mr. *Thesiger.*] Did you make any observations to them about Coffey's affidavit?—During the course of that morning we had had considerable arguments. I was asked by the assessor to give him my opinion, and I gave the assessor my opinion upon the legality of the course he was pursuing; we argued it for some time, and afterwards, in the course of the day, he said to me, "Mr. Hayes, I wish you would come and give me some assistance;" and I said, "It is useless for me to do that, for you seem resolved to take your own course; I have told you already what I conceive to be the legality of the case;" and he said, "I think, as a brother barrister, you might come here and give me some assistance;" and I then said, "If you call upon me as a brother barrister, I will;" and I said to him, "I think you cannot do what you are doing, I think it is altogether unsupportable;" and I said to him, "I think you cannot take him off the poll." And so I left it, and after that they proceeded, and I saw them preparing the affidavit.

638. *Committee.*] What time did this take place; what time of the day was it?—I think the argument took place in the morning part, after we had mooted the arguments the assessor had with me; I should say it was about two o'clock; he called me from the fire where I was standing, and asked me my opinion. I think it was towards the latter part of the day or the following morning the affidavit was got on.

Mr. *Thesiger.*] The following morning before the last day of the election?

639. Were you present when the assessor spoke to Mr. Vigors about a letter being written?—I heard him say, "Mr. Vigors, there is a vote on the poll here, and we cannot take it off, unless it is at your request, and you will, if you please, give us a written request."

640. Did you afterwards see the letter of Mr. Vigors?—I saw a letter handed in, but I do not know what was in it, but I understood it to be a written request.

641. I do not know whether you were present after the close of the poll on the first day, and therefore I ask you, whether any thing was said about Nowlan's vote being taken off?—I was present in the assessor's room when, I recollect, they closed, and I believe during almost the whole of the time he was there, I saw some work going on about the alteration in the poll-book, about Nowlan's vote, applying the affidavit, and other business going on.

 642. Was

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642. Was this after the poll?—Yes, after five o'clock; after the poll had closed.

643. Do you recollect exactly what time it was?—I do not know the hour exactly, but I know it was after the business was over.

Cross-examined by Mr. *Maule*.

644. You say you do not recollect the hour exactly?—I do not recollect the hour to a minute.

645. I suppose you do not recollect it to ten minutes or a quarter of an hour?—No; but it was after five o'clock.

646. That is all you can say. Was your attention drawn to the time, or was it because the voting had ceased then?—The voting had ceased then and the poll had closed.

647. Polling is voting, is it not?—Yes, nearly the same—not quite.

648. Pray what is the distinction?—A man may vote who does not poll, I take it.

649. How is that; how do you make out your distinction?—Polling depends upon the decision upon his vote.

650. Then you use the term "vote" in the same sense as we do "offering to vote?"—Offering to poll.

651. About the time; you remember the time, as I understand, by its being after the time that these matters, either of polling or voting, had ceased?—Yes.

652. And that ceased, you say, at five o'clock?—Yes.

653. And it was after that?—It was after that.

654. Was that all you had to draw your attention to the incident of time?—That is all; I believe some one was talking about time at my elbow; but I did not pay much attention to it.

655. Was there any thing in the shape of a simultaneous demonstration of watches?—Some persons pulled out their watches, but I did not mind them.

656. I suppose you did not pull out your own?—I do not recollect that I did.

657. I suppose, if twenty people had pulled their watches out, you would have remembered it?—It would depend upon circumstances; if twenty people had called my attention to it, I might have recollected it, but in a small room, closed as it was in an interesting moment at the close of the election, thirty people might have pulled their watches out without my attention being drawn to it.

658. Then I understand you to say, that whatever took place, it was not such a thing as must of necessity strike the minds of those who were present?—It did not particularly strike me; I remember something obscurely, of some persons having talked to me about time, and perhaps they might have had watches in their hands for what I know.

659. But there was nothing so striking as particularly to force itself upon your recollection?—Nothing more than I have told you.

660. I suppose you were attending to what was going on?—Yes, it was my duty to do so.

661. I am not asking you about your duty; but did you do it; do you know Mr. Walsh?—Yes, Mr. Thomas Walsh, the assessor.

662. Is he a gentleman at the bar of some standing?—He is a gentleman at the bar; I am not aware of his standing; he is of some standing, but I do not know what it is.

663. Is he of your standing?—I declare I do not know; Mr. Walsh was a gentleman whom, before the election, I had only occasionally seen; I had seen him a year or two before the election, just to know his name.

664. Then you did know him by name before the election?—Yes, for about a year before the election.

665. In Dublin?—In Dublin, in all the four courts; I have seen him doing his business in court.

666. He was a barrister in practice in these courts?—He had some practice, I believe; a good deal of practice latterly, from being the Attorney-General's devil.

667. By using the term "Attorney-General's devil," you mean an officer who does the technical part of the Crown business; you mean the barrister who does that?—Yes.

668. And I believe, to fulfil the duties of that office, it requires a person of skill and ability in his profession, does not it?—It is usually done by a young gentleman

gentleman who understands some business; it must be done by a competent person, or he would not be appointed to that office.

669. Do you happen to know a gentleman called Mr. Justice Littledale in England?—I have heard of him, certainly.

670. And have you heard of Mr. Baron Parke, and of the late Lord Chief Justice Abbot, and Lord Tenterden?—I have.

671. And do you know that all these gentlemen were "devils" in their time, till the moment of their being exalted into the higher regions of the bench? I suppose you know that there is important business to be transacted in Ireland, in the office of the Attorney-General, and which renders a person capable of performing some of the laborious parts for him desirable?—It is an office very desirable.

672. Now do you mean the Committee to understand that the office of pleader to the Attorney-General, that that office in Ireland is not an office that requires a gentleman of talent and ability?—I mean to say nothing against it; it is a valuable office, and one, I have no doubt, very much desired among the gentlemen of the bar; I had no other means of designating the office, and therefore I applied the usual term "devil" to it; but I did not mean on any account to say any thing derogatory to its respectability.

673. No doubt the answers you give me are quite consistent with the office not being a sinecure; I suppose you do not think the office a sinecure?—I believe it is not a sinecure; I believe the gentleman who fills it has a great deal to do; that is the very reason I instanced the office, that he had a great deal to do.

674. He is a person selected by the Attorney-General, and a person in whom he has confidence to do some of his important business?—I believe so.

675. The first day of the election was the 15th February, was not it?—Wednesday, I believe, was the first day of the poll.

676. Now, upon that day, was not the vote of Nowlan tendered?—The first day; I really am not sure whether it was the first or second day; I remember the objection coming up, but I cannot speak positively as to the date.

677. But his vote was objected to?—Yes, it was.

678. And the objection was argued, was not it?—It was.

679. At the time of his offering to vote?—It came on in the usual course.

680. And was argued in the usual manner?—Yes.

681. By counsel on both sides?—Yes, I think so; yes, it was.

682. Was it argued on your side?—Yes.

683. And some other gentlemen appeared on behalf of the other candidate on the other side?—I believe so.

684. Before the assessor?—Yes.

685. And did not the assessor decide against the vote?—I believe he did.

686. Have you any doubt about it?—No, I have not.

687. Did he not decide at the time against the vote?—

688. At that time the question that was argued before the assessor between you and the counsel on the other side was, whether the man's vote should be put on the poll; was not that the question?—That is always the question in such cases, whether he has a right to poll or not.

689. And that question was decided by the assessor in the negative?—So I understood.

690. But you stated just now that you had no doubt of it?—I have no doubt of it.

691. You can speak to the fact from your own knowledge?—Yes.

692. There was an objection paper, was there not, which is usual, which the assessor signs in the ordinary way to intimate his judgment?—Yes, generally; the Act of Parliament requires it.

693. I believe, at each election the Act of Parliament requires that the assessor should sign the objection paper with his initials, with the words "admit the vote" or "reject the vote," as the case may be, and to send them to the deputy of the booth?—Yes.

694. And it is the business of the deputy to admit or reject the vote, according to the order contained in that paper, is it not?—It is.

695. And was that done upon this occasion?—I cannot say whether it was done or not.

 696. Have

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696. Have you any doubt about it; do you believe that it was sent?—I have no doubt that the thing was sent, for I have no reason to believe it was not sent down by a messenger; and I have no doubt but it did go by the messenger into the booth.

697. And, somehow or other, the order was not obeyed?—If it had been obeyed to the letter, the subsequent disturbances would not have occurred, of course.

698. Can you tell me whether there is any difference between the letter and the spirit of that order; I would be glad to know what distinction you mean to draw between the letter and the spirit; would not the vote have been omitted?—I mean, that I did not intend to say that the man meant to disobey, but he might have made a mistake or blunder.

699. But it was not from some disobedience to the order of the sheriff, from blunder or mistake, the name of the voter would have been rejected at the time, and never put upon the poll at all?—It is always, to a certain extent, put upon the poll; before the objection goes up, a memorandum of it is taken down in pencil.

700. If it was not for the blunder on the part of the deputy sheriff, the vote would have been struck off?—Yes.

701. And it was the regular ordinary and proper course, was not it?—Yes.

702. Though, if the deputy sheriff had done as he was bound to do, the vote would have appeared on the poll as a disallowed vote?—He would have struck out his memorandum, and there would have been nothing more about it.

703. And that would have taken place the first day?—Immediately on the return of the objection paper to him.

704. Do I understand you right, that the deputy sheriff, or the person who had the care of that book, introduced the vote as an allowed one?—So I heard; I know nothing of what took place in the booth. I only looked in at the booths, perhaps once a day.

705. Did you press upon the assessor the right which a man had, under those circumstances, to poll from his affidavit?—I did, as strongly as I possibly could.

706. Mr. *Maule.*] Did you mention it to him?—Yes.

707. Mr. *Thesiger.*] Were you encountered by as many adversaries as you were on the former occasion; had you seven gentlemen to contend against?—They did not all seven speak, but very frequently two or three of them spoke to every case.

708. You were out-numbered in the assessor's room, at all events?—Yes.

709. *Committee.*] There are four days' poll allowed in Ireland, are there not?—It is five days.

710. What hour do you commence to poll, and at what hour do you finish?—The Act requires us to commence at ten o'clock, I think, and we end at five. In this case there were but four days' polling, for the county was nearly polled out, and indeed the booths were nearly all closed of themselves, not so many as 20 a day being polled at the booth, which the Act requires to enable them to be kept open.

711. As I understand the case, it is thus: the assessor had the case argued before him on both sides; after argument he adjudicated against the vote; he signified his adjudication in the regular manner; that was communicated to the deputy sheriff; but, as you say, from a blunder or inadvertence, or some mistake, or from some other cause, the name was allowed to remain on the poll?—I believe so.

Re-examined by Mr. *Thesiger.*

712. Now, just let me understand. The objection that was taken to that vote was, that his certificate which he produced, and which he desired to poll from, stated the barony in which the land lies to be the barony of St. Mullens?—Yes, the certificate said so.

713. Whereas it should have been the barony of Idrone East?—Yes.

714. Did you on his behalf insist upon his right, under those circumstances, to poll from the affidavit in which the barony was properly stated?—I did.

715. And was that the matter that was argued before the assessor, and upon which you say the rejection of the vote took place?—Yes, it ultimately resolved itself into that.

716. And by some blunder (as my friend puts it) or inadvertence?—By Act of Parliament, if there are not 20 voters polled—above 20—21 there must be polled—

and

and if there are not 21 polled in any one booth, that booth closes; and on the Saturday, which was the fourth day, there was not any one booth in which there were 21 voters polled; and, therefore, of necessity the election closed that night. *E. Hayes*, Esq. 2 May 1837.

717. At what hour did the election close?—Five o'clock; it could not close before five o'clock.

Mr. *Elliott* sworn.

Examined by Mr. *Thesiger*.

718. WERE you present in the assessor's room on the last day of the election; the last day of the polling at the last election for Carlow, in the evening?—In the evening, I was. Mr. *Elliott*.

719. What office did you hold at the election?—I was one of the inspectors for Bunbury.

720. Were you attending with your books to ascertain the final number?—Yes, we always sent, as usual, to the assessor's room in the evening for that purpose.

721. Do you remember the circumstance of Hugh Nowlan's vote being removed from the poll?—I do.

722. Was that before or after the close of the election?—Long after.

723. Had proclamation been made at the close of the poll?—It had.

724. After what hour was it?—He was finally removed off the poll very close to half-past six o'clock.

Cross-examined by Mr. *Maule*.

725. When was the question began to be raised whether he ought to be counted or not?—

Mr. *Thesiger*.] Perhaps my friend will allow me to ask one question?

726. By Mr. *Thesiger*.] Supposing he had been removed before the close of the poll, you could tell us whether you had any persons ready to poll for Mr. Bunbury?—Yes, we could have supplied the place of Nowlan.

727. Mr. *Maule*.] You were desirous to have as many votes for Mr. Bunbury as you could, whether Nowlan was on the poll or not?—We wished to return Mr. Bunbury.

728. Besides Hugh Nowlan, it would have required 37 other people, would it not, to have removed the majority?—No, we considered them as nothing.

729. Had you many votes to supply the deficiency; had you one?—I am quite sure there was more than one or more than two.

730. And you did not like to poll them?—I suppose not.

731. There was something remarkable in this; I dare say you can remember who those were that could poll there?—I do remember their names; there were two men of the name of Lucas.

Mr. *Thesiger* objected to the question as irregular.

732. You say there were two men of the name of Lucas; what other names besides these two names had they?—One was John Lucas, and, I think, Robert was the other.

733. Do you mean to say there were two persons of these names who had any pretensions to vote at the Carlow Election?—I do.

734. For what barony?—Idrone East, as well as I remember.

735. Both of them?—There are two Lucas's in Idrone East barony, but whether their names are John or Thomas, I cannot say.

736. Do you mean to say you had two Lucas's in the town of Carlow ready to vote?—Yes.

737. Towards the close of the poll?—Yes.

738. There was proclamation made, but you did not produce either of them?—No, and if you wish I will tell you why.

739. The last day you had only two men, how many men did you poll the last day on behalf of Mr. Bunbury?—I cannot say.

740. The entry here is, last day's poll, two for Vigors and none for Mr. Bunbury; would you not have made a better figure if you had had the two Messrs. Lucas's?—[*No answer.*]

2 May 1837.

Re-examined by Mr. *Thesiger*.

Mr. *Thesiger*.] First of all, I will read a portion of the statement delivered in on the other side with regard to this vote. " Petitioners state," &c. [*Reads statement.*]

Mr. *Maule* stated, this was a different statement from that which Mr. Hayes had shown, and he would call the agent, Mr. Baker, before the Committee, for the purpose of showing how the mistake had arisen, and which had been done unintentionally.

Mr. *Baker* sworn.

Examined by Mr. *Maule*.

Mr. *Baker*.

741. ARE you the agent on behalf of the sheriff on this occasion?—Yes, I am.

742. Did you prepare that statement which you gave in?—I did.

743. Did you prepare the instructions from the sheriff, or in what other way?—I did not see the sheriff, to receive verbal instructions from him upon all the matters connected with the case; but I had sent, to lay before him the petition which had been presented; and I received from a gentleman a certain petition; and not at the moment having the papers with the statement, I took it for granted the notes were correct, and accordingly I prepared the statement.

744. That statement turned out to be erroneous?—In that particular.

745. This was a statement you prepared to hand in to whom?—To the opposite side. It was quite an error, and acting upon not receiving immediate directions from the sheriff, though I had seen him, I took for granted the instructions I had received were correct, and I acted upon them in preparing that statement.

746. Was it done somewhat hastily?—Quite so.

747. Were you pressed for time?—Very much so.

748. That statement had not been submitted to the sheriff before it was delivered to me?—No, I do not know that he read it, but I got the general heads of it for that particular part from some minutes made on the petition.

749. And which you considered afforded matters for the account you gave there?—Yes.

750. It was quite a mistake?—Yes.

Cross-examined by Mr. *Thesiger*.

751. Are you agent for the petitioner defending the seat, as well as for the returning officer?—Yes.

752. And have been so from the first?—Yes.

753. You received the instructions from the sheriff originally, is that so?—Before I sent in any paper to the sheriff.

754. You stated that you prepared a statement of instructions partly received from the sheriff, is that so?—It is.

755. Was the sheriff here to give you instructions, or were they written instructions?—He was here to give me instructions.

756. And he gave you instructions?—Yes.

757. Were those instructions written or verbal?—Verbal only.

758. How came you afterwards to send the petition over to Dublin?—That was before.

759. I understood, before you sent the petition over, you had received some instructions from somebody on the subject?—No.

760. Did you receive nothing but your retainer as agent?—That is all.

761. And then you sent over the petition?—Yes.

762. Did the sheriff come over in consequence of the petition being sent to him?—I did not consider that I acted for the sheriff until he came over here and found it necessary to make a case. I sent the petition over to Dublin for the purpose of having certain minutes and remarks made upon each charge, and I was anxious to receive correct information.

763. To whom did you send the petition in Dublin?—For the purpose of being laid before Mr. Walsh the assessor.

764. And were the marginal notes the marginal notes of Mr. Walsh?—I believe so.

765. Was

765. Was it then from that that you prepared your statement?—Not altogether.

766. Was it partly?—With reference to that particular charge.

767. Have you in a great measure prepared the statement from the notes to that petition which Mr. Walsh sent you?—No.

768. To whom did you send the petition?—To Mr. Vigors.

769. Did you send it to him for the purpose of being laid before Mr. Walsh?—For the purpose of being submitted before Mr. Walsh, but possibly in order to obtain Mr. Walsh's answer to those particular things which required his immediate decision. That was my anxiety to get correct information, and that I should go to those persons who could get me that information.

770. Who brought the petition back again to you?—Either Mr. Vigors or Mr. Fitzgerald. I believe that last gentleman handed it to me; whether it is Mr. Fitzgerald or Mr. Vigors, I am not quite sure; at this moment I forget which it was.

771. Can you tell us when it was that you sent it over?—I cannot; it was long before the day appointed for the hearing.

772. How long before the day appointed for the hearing?—I am sure it was a fortnight or three weeks.

773. Was it not more than three weeks?—I do not know that it was.

774. What is your belief upon the subject?—I think it is about three weeks.

775. When did you receive it back?—Not until Mr. Vigors and Mr. Fitzgerald came over.

776. But I do not know when they came over?—I do not think I received it until the day of the ballot. I had no instructions until that evening or the following morning.

777-8. Had Mr. Vigors come over before that time?—He had.

779. Do you mean to say you did not see Mr. Vigors before that day?—I do not.

780. How long before the day upon which the ballot took place had you seen Mr. Vigors?—I think I may say a week.

781. Do you mean to say that you had not received that petition, with the notes, at least a week before the ballot?—I do.

782. Had Mr. Vigors communicated to you that he had seen that petition?—No.

783. Was it kept a secret from you?—Not that I know of.

784. Will you tell me, if you please, whether or not he kept it a secret from you?—No, he did not, not that I know of.

785. He did not acquaint you with it?—No.

786. And I believe you were his legal adviser?—I apprehend—my belief is, that Mr. Vigors did not bring it with him on his return to London, but that it was sent or brought by Mr. Fitzgerald from Dublin to London.

787. Do you know that?—No, I do not.

788. Will you have the kindness to tell me when you first considered yourself as the agent for the returning officer?—The day that this Committee first met.

789. The day that the Committee first met?—Yes.

790. Then upon the day of the ballot you did not consider yourself as the agent for the returning officer?—No.

791. Did not you state yourself to be the agent for the returning officer in the House at that time?—No.

792. Was not it distinctly stated in your presence that you were the agent for the returning officer, as well as for the petitioner defending the seat?—Not that I heard.

793. Was not it stated publicly in the House?—Certainly not; I recollect Lord Stanley, in his speech, stated that the sheriff and the parties defending that return appeared by one agent, but he was in error in making that statement; that is all that I recollect.

794. Did you instruct Mr. Maule on that occasion?—I did.

795. You, not being the agent for the returning officer, did so appear for the returning officer?—Certainly there was another agent in the House, according to the forms of the House.

796. Who is the other agent?—Mr. Fitzgerald.

797. The gentleman that acted as sub-sheriff at the election?—I do not know about that.

798. Is he an attorney?—I do not know; he knows a good deal about election matters, particularly Carlow.

Mr. *Baker.*

2 May 1837.

799. Did you instruct Mr. Maule to make that application to the House?—I did.

800. Probably it was your contrivance?—It was my view of the Act.

801. It was your contrivance—it was your view—you were acting upon your views when you were suggesting to Mr. Maule to make the application?—No, I gave my views of the Act to Mr. Fitzgerald, and I said there was a heavy charge against the sheriff, which made it different to others that had appeared before the House, and I considered, under the Act, he was entitled to attend and defend, and I recommended that it should be done.

802. Am I right in stating that you said, not two minutes ago, until you gave instructions to Mr. Maule to appear for the sheriff, and make the application, you had no concern in this matter; am I right or not?—The papers were prepared in my office.

803. Am I right in my recollection of what you said not two minutes ago; you said you gave instruction to Mr. Maule to appear and make the application on behalf of the sheriff?—As far as preparing the papers, having some copies in my office, I sent them to Mr. Maule, but certainly I should not have been the agent for the sheriff, but he felt to be a separate independent party before this Committee.

804. When were those papers prepared in your office?—I think the morning of the ballot, perhaps the evening before.

805. How could they be prepared the evening before, when you had not the petition until the day of the ballot?—I had many copies of the petition, and it was sufficient for me to see what were the charges; it was not necessary to know what answer the sheriff could make; I founded my views upon the petition.

806. And did you, in point of fact, procure the petition, and was it upon reading the petition that you were prepared to make the application?—Yes.

807. If I understand you correctly, the recommendation proceeded from you to Mr. Tighe?—Yes

808. And now you are the agent for both parties?—Yes.

809. Perhaps you will tell us when you became so?—The first day of the meeting of this Committee.

810. The morning after the ballot?—The morning after the ballot; I continue of course to be assisted by Mr. Fitzgerald.

811. Do you know whether he is a professional man?—I do not.

Cross-examined by Mr. *Maule.*

812. Is he a gentleman peculiarly acquainted with election matters?—Yes, he is; and particularly so with Carlow.

813. And competent to act as a Parliamentary agent?—I believe so.

814. Having a petition placed before you containing matters against the sitting member, and containing matters in which the sheriff was also involved, did you consider it advisable for both parties, that the sheriff and the sitting member and those who support the sitting member should make an application under the 36th section of the Act?—Certainly; I have known it to be done in other cases in which I was also agent.

815. You took that view of the section of the Act, that it applied to this case?—Strongly.

816. That the House had jurisdiction?—Certainly.

817. To make such an order?—Yes.

818. That was the opinion the House came to?—So I am told.

819. Was not it publicly declared; did you hear Mr. Speaker give his opinion conformably to your view and construction of that clause?—I did.

820. Did Mr. Speaker afterwards inform you as the agent, that that resolution had been come to?—No; except by the votes of the House; that is the only way I learnt what decision was come to.

821. The petition you had no difficulty in getting copies of?—None.

822. That enabled you to see what the charges were?—Yes.

823. With respect to the mode in which it was to be ascertained, were you informed by the marginal notes that you expected from Dublin?—Yes.

824. And those materials you did not get until the day before the ballot?—I did not.

825. Was it the day before the ballot; are you certain of that?—I am quite sure I made no use of them, because it was not my duty, not understanding that I was to be the sheriff's agent.

826. Besides

Mr. *Baker.*

2 May 1837.

826. Besides the lateness of receiving your instructions, were you also a good deal engaged in other business?—Yes.

827. Were you engaged as agent on the Longford election?—Yes.

828. Did it occupy a good deal of your time?—Yes.

829. Morning and evening?—Morning and evening.

830. So that, in point of fact, you were a good deal hurried?—Yes; I was led into the error entirely by the marginal notes, and by not sending to the sheriff, but I think I did not see the sheriff until we came down here.

831. Your counter statements were not shown to counsel until they were handed to the other side?—Certainly not; and I do not think I had an opportunity even then to see the sheriff.

Mr. *Maule* proposed to call Mr. Keogh, the sheriff at the election.

Mr. *Thesiger* stated, that he should object to this gentleman being examined, on the ground of his having been in the room for some time this morning, and also at other times; and on account of his having a direct interest in the subject matter upon which Mr. Maule would examine him; and submitted, therefore, that the Committee would not allow him to be examined, being clearly an incompetent witness.

Mr. *Maule*, in support of his right to have this witness examined, stated, that the matters upon which he proposed to examine him did not bear upon his own individual case, but the case of the voter Hugh Nowlan, now under the consideration of the Committee.

Mr. *Thesiger* was heard in support of his objection in reply to Mr. Maule's argument.

The Committee stated, it would be better, perhaps, to examine the proposed witness himself, to ascertain whether or not the allegation brought forward against him, of having been present during any part of the proceedings of the Committee, was founded on truth or not.

George Keogh, Esq. called in, and sworn.

Examined by the Committee.

Geo. *Keogh*, Esq.

832. WILL you have the goodness to inform the Committee whether you were in the room this morning while any part of the discussion was going on?—I was.

833. What time did you remain in the room?—I might have remained five minutes; I was in the room when the point was debating whether the Committee should adjourn or not, and I wished to have an opportunity of speaking to Mr. Maule to say, as far as I was concerned I did not wish the Committee to adjourn, as I was kept in London at great personal inconvenience.

834. Were you in the room after the Committee had decided not to adjourn? I was not.

835. Not at all?—No.

836. Nor during any part after Mr. Thesiger had began to examine the evidence in Nowlan's case?—No.

837. Were you in the room yesterday afternoon during any part of Nowlan's case?—I was in the room after the Committee had adjourned.

838. Were you in the room (I am obliged to ask you these questions) during any part of the time after Nowlan's case was called on?—I do not think I was until after the Committee had adjourned; I am almost certain that it was either then or the day before that I went to the door of this Committee-room to ask for a sheet of paper, as I was exceedingly anxious to write a letter, and I am almost certain I was not in the room till after the Committee had adjourned.

839. Have you been in the room during the time any discussion has been going on in this room?—I did come to the door to speak to one of my friends, but never for more than three or four minutes, and I have not heard one word of the discussion that has been going on; I am ignorant of it, except from what I have heard talked of outside the room.

Mr. *Maule.*] Perhaps the Committee will be good enough to ask this gentleman whether he remembers applying to me to get a sheet of paper, because he himself was not allowed to come into the room.

Geo. Keogh, Esq.

2 May 1837.

840. *Committee.*] Do you remember that fact?—I remember speaking to some person to get me a sheet of paper, as I was anxious to get a sheet of paper to write a letter, and I believe that I applied either to Mr. Maule or Mr. Grattan. I remember applying to some gentleman, as I was not permitted to come into the room.

The Committee-room was cleared.

The Committee deliberated, and after some time counsel and parties were again called in, and informed that the Committee had come to the following resolution: "That Mr. Maule is not at liberty to examine Mr. Keogh, in the case of Hugh Nowlan."

Mr. *Maule* stated, after this decision, he must apply for an adjournment until such time as the assessor should arrive in town.

Mr. *Thesiger* stated, that he could not agree to any such course, and trusted that the Committee would not consent to the proposed adjournment.

Mr. *Maule* stated, that great injustice would be done, if the Committee, before they decided on the vote of Hugh Nowlan, did not wait until the arrival of the assessor; for he should be able to show, when that gentleman was produced, that the time which had been sworn to was very different; and also should be able to prove to demonstration, that the voter was properly excluded from voting, and that the sheriff would have been wrong in point of law if he had not done so; and the assessor was the person cognizant of the whole transaction, and would, if the Committee were desirous of having both sides of the question before them, give a different complexion to the case, and he therefore requested an adjournment to the usual hour to-morrow.

Mr. *Thesiger* stated, if they indulged Mr. Maule in his request for an adjournment, they would extend it to Friday for his convenience.

Mr. *Maule* stated, that he could not consent to such a delay, and therefore he would withdraw his request, and was ready to go on at all hazards.

The *Chairman* stated, that he had taken the sense of the Committee on the subject, and as it had been intimated that the assessor would in all probability be in attendance to-morrow, and it being now half-past two o'clock, they thought it but fair to both parties that they should adjourn till eleven o'clock to morrow, as they were exceedingly anxious to hear all the evidence affecting the question.

Mercurii, 3° die Maii, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

3 May 1837.

The names of the Members were called over; all present.

Mr. *Maule* stated to the Committee that he had hoped to have been able to have presented to the Committee this morning the gentleman whose conduct had been so much called in question, Mr. Walsh, the assessor, who, if he had started at the earliest possible moment and had travelled straight on, ought to have reached London this morning. Unfortunately he has not yet arrived. Mr. Maule stated, however, he did not consider his testimony would turn out to be so essential for the argument which he had to contend for on this occasion.

Mr. *Thesiger* would request Mr. Maule to state whether he had closed his case against this vote.

Mr. *Maule* replied that he had. He (Mr. M.) had been in hopes that he should have been able to have brought forward Mr. Walsh, but he was prevented by the untoward circumstance of the non-arrival of that gentleman.

man, but that he regretted it the less, because he believed his evidence could be dispensed with, and he (Mr. M.) would have no difficulty in convincing any impartial person there was no pretence for placing the vote of Hugh Nowlan on the poll, and that once being off the poll there was nothing in the shape of evidence which would justify the Committee in putting the vote on again. Mr. Maule observed that it was not his fault that the sheriff had not been produced before him; it arose from no unwillingness on his part; but the absence of that testimony arose solely from his friend Mr. Thesiger objecting to the receipt of that evidence, and the Committee had affirmed his objection. The voter in question not being on the poll, it was now sought on the other side to put him on again, and to succeed in that, it would be necessary for the other side to show that he had the right to vote, and do every other matter that would entitle him to be counted on the poll, because once being off, the voter could not be again put on the poll unless it was clearly shown that he did every thing that in him lay to exercise that right. They seek to have him put on the poll a duly qualified elector, which on the other side had been asserted to have been tendered and given at the said election, which was afterwards improperly rejected and struck off. It was necessary, therefore, for his friends on the other side to show that Hugh Nowlan's vote was duly tendered and given on the first day of election. If these matters were not proved to the satisfaction of the Committee, the whole proposition would fail. Mr. Maule stated, that the man must not only have the right to vote, but he must have actually voted or done every thing that was necessary for the voter to call compulsorily on the party to receive the vote. Mr. Maule also stated, that there was one absolute failure of the most essential part of the case, which was the proof of identity, it not being proved which Hugh Nowlan was sought to be placed on the poll, the description of him only being "Hugh Nowlan, of Newtown;" and the person who had tendered his vote was "Hugh Nowlan, of Idrone East." Mr. Maule contended, all that had been shown was, that somebody had come to the Idrone East booth, representing himself as being the person described in a certain certificate as Hugh Nowlan, of Newtown, in the barony of St. Mullens, and had tendered his vote on his certificate; he had his vote objected to, and the objection was taken before the assessor and decided by him against the vote, and that vote is ultimately taken off the poll.

Mr. *Maule* would ask, upon the evidence adduced, what there was to identify Hugh Nowlan, who polled upon that certificate, describing him of St. Mullens, with Hugh Nowlan, of Idrone East? Nothing whatever; and for any thing now before the Committee, Hugh Nowlan, of Idrone East, might have been in his own house, or even in Dublin, during the whole of the election. No one had been called before the Committee to swear that the voter, whose case had been adjudicated upon by the assessor, was seen to enter the Idrone East booth with his St. Mullens certificate, and known to be of St. Mullins; and, in the absence of that testimony, Mr. Maule submitted, the whole case failed. Mr. Maule referred to several of the sections of the Reform Act (2 & 3 Will. IV. c. 88), for the purpose of proving, if a voter does not do all that is necessary to enable him to exercise his franchise, he loses it *pro hac vice*; and contended, that Mr. Walsh the assessor acted perfectly right in refusing to allow Hugh Nowlan to poll from his affidavit; and the question now for the decision of the Committee was, not whether Mr. Walsh decided accurately or honestly (and which he, Mr. Maule, contended had been decided accurately and honestly), but whether the voter had done every thing to enable him to have his vote on the poll. Mr. Maule also referred to the 60 Geo. III. c. 11, and commented at some length on the suspicious disappearance of the sixth poll-book, which was so absolutely necessary to enable the Committee to judge fairly upon the contested question, whether or not the vote ought to be placed on the poll.

Mr. *Thesiger* was heard in support of his right to have the voter Hugh Nowlan placed on the poll; and stated, if the Committee should determine that he was not entitled to vote, the result of that decision would be, that every elector would be completely in the power of the returning officer or his assessor. Mr. Thesiger stated, with respect to the charge

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against the assessor, and which Mr. Maule had stated not to be established by the decision of the Committee, he was not at liberty to go into the question of any other vote; and therefore, at that moment, he could not establish the charge against him. Mr. Thesiger also stated there could be no question entertained as to the identity of the voter Hugh Nowlan; for till this moment no doubt had ever been suggested with respect to him, and which the evidence fully substantiated. Mr. Thesiger stated, the next point would be, whether the assessor was or was not right in his decision; and if the Committee should decide he was not right, then the assessor had no right to reject him, and the voter would be entitled to vote. Mr. Thesiger stated he appeared in his proper barony. Referred to the 35 & 60 Geo. IV., the sections of which Mr. Thesiger stated were not repealed by 2 & 3 Will. IV. Mr. Thesiger referred to the minutes of the proceedings of yesterday (Mr. Hayes' evidence), to prove the conduct of the assessor; also to the affidavit of John Coffey, and stated that, having been once on the poll, it was not in the power of the assessor to have him removed, and that, having been so removed, the assessor had acted improperly. Mr. Thesiger read the various sections bearing on the point of the 35 Geo. III., 60 Geo. III., and 4 Geo. IV., c. 55, and commented on the various arguments urged by Mr. Maule against the vote being restored; and in conclusion observed, he was convinced the Committee, after having referred to the whole of the documents, and to the evidence that had been given, would come to the conclusion that the voter Hugh Nowlan should be restored on the poll.

The Committee-room was cleared.

The Committee deliberated; after some time counsel and parties were again called in, and informed that the Committee had come to the following resolution: "That the Committee had decided that the vote of Hugh Nowlan should not be placed on the poll."

The following List was handed in:—

LIST, No. 3.

LIST of Persons whose Names appear on the Poll for *Nicholas Aylward Vigors*, Esquire, at the last Election for the County of Carlow, each of whom the Petitioners will contend and insist should be struck off the Poll in consequence of the Qualifications under which their names had been inserted on the Register not continuing the same or sufficient at the time of the said Election.

Number in Poll book.	Day of Polling.	Number.	Names.	Barony.	Objection.
128	first	1	Edward Comerford	Idrone West	The objecton to each and all of these persons is the objection stated in the title of this list.
31	third	2	Michael Croake		
263	second	3	Patrick Prendergast		
238	third	4	Patrick Bulger		
126	second	5	James Doyle		
30	first	6	John Hood		
353	fourth	7	Thomas Fitzpatrick		
98	second	8	Moses M'Gee	St. Mullens	
165	second	9	Thomas Murphy		
346	third	10	Patrick Neill		
1	first	11	James Foley	Idrone East	
182	second	12	Patrick Byrne	Rathvilly	
338	fourth	13	Thomas Bryne		
201	second	14	Thomas Corger		
158	second	15	Bernard Dawson		
341	fourth	16	Matthew Evraght		
164	second	17	John Farrell		
80	first	18	John Hickey		
299	third	19	Patrick Holden		
191	second	20	James Kelly		
89	first	21	Patrick Kavanagh		
106	first	22	James Nowlan		
174	second	23	Matthew Nowlan		
327	third	24	John Reilly		
86	first	25	John Nowlan	Forth	
2	second	26	Michael Kelly	Idrone East	

On

On the Vote of *John Nowlan*, of Killane, 20*l.* freeholder; date of Registry, 14 November 1832; polled for Mr. Vigors 1st day. 3 May 1837.

Mr. *Alexander Humfrey*, senior, sworn.

Mr. *Thesiger* stated he meant to attack the vote of John Nowlan, upon the grounds which he would prove by his witnesses.

Mr. *Maule* said, at this stage of the proceedings, he must object to the statement which had been given in on the other side, and take the sense of the Committee upon the question, whether Mr. Thesiger was in a position to call evidence in support of his objection to the vote of John Nowlan. Mr. Maule stated, it appeared to him, that the nature of the objection to the particular class of voters, and to the voter in question, had not been specified with sufficient particularity, nor had he shown the nature of the objection upon which he (Mr. Thesiger) meant to rely, and which was absolutely necessary, for the purpose of letting him in to prove the facts alleged against the voter. Mr. Maule read the 4th section of 47 Geo. III., c. 14, in support of his objection, and to prove that the Act demands the objection intended to be taken against any voter should specify the particular grounds, and that there must be distinct particulars, pointing out the sort of evidence which the parties meant to offer, before he should be permitted to give that evidence. Also, referred to the 42 Geo. III. c. 106, as containing similar provisions, and contended that the words in this statement, not being particular and specific, but general enough to admit them to two separate cases, that, therefore, his objection to Mr. Thesiger's proceeding to call evidence in this case would be allowed by Committee.

Mr. *Thesiger* contended that the list in question did comply with all the requisites of the Act of Parliament, and trusted that the Committee would not preclude him from entering into evidence with respect to the person whose vote was not sought to be removed from the poll, and said, if the objection stated sufficiently what the objection to the party was, and the motive in assailing the vote, that would be sufficient to satisfy the intentions of the Legislature, and upon looking at this statement, Mr. Thesiger said, every body would know perfectly well the ground of objection which was meant to be insisted upon on his side to the voter in question.

Mr. *Maule* was heard in reply.

The Committee-room was cleared.

The Committee deliberated; after a few minutes, counsel and parties were again called in, and informed that the Committee had come to the following resolution:

"That Mr. Thesiger should go on with his case."

Mr. *Alexander Humfrey*, senior, recalled.

841. By Mr. *Thesiger*.] WILL you produce the affidavit of John Nowlan?—Which barony? Mr. *A. Humfrey*.

842. Newtown, barony of Forth?—[*The Witness looked for it.*]—Will you tell me the number?

843. It is John Nowlan, of Killane; it was a mistake of mine when I said Newtown.

[*The Witness produced it.*]

Mr. *Thesiger*.] I believe the Committee have not seen an affidavit of this description before; this is an old affidavit, and when he re-registered, the certificate was put at the back of it. Perhaps the Committee will have it read?

3 May 1837.

[*The Affidavit of John Nowlan put in and read, as follows:*]

At a Sessions of the Peace, held at Carlow, in the county of Carlow, on the 20th day of April in the year 1826, I, John Nowlan, of Killane, in the county of Carlow, do swear that I am a freeholder of the county of Carlow, and that I have a freehold therein arising from a house and land, of the clear yearly value of 20*l.* at the least, above all charges payable out of the same, lying and being at Killane, townland of Killane and barony of Forth, in said county; and that the said freehold does not arise from a rent-charge, nor have I procured it fraudulently, nor has it been granted fraudulently to me or in exchange for a freehold in any other county. So help me God.

John Nowlan.

Sworn in open Court,

Henry Walter,
E. Butler, } Justices presiding.

And then delivered by the court to the clerk of the peace, to be filed and kept amongst the records of the county.

Robert Browne, Deputy Clerk of the Peace.

Entry of Certificate of Registry, County of Carlow.

This is to certify that John Nowlan, of Killane, farmer, was this day duly registered before me as a voter of this county, in right of a freehold of the yearly value of 20*l.*, situate at Killane, townland of Killane and barony of Forth, in this county.

Dated this 14th day of November 1832, at Carlow.

Geo. Robinson, Deputy Assistant Barrister.
A. Humfrey, Clerk of the Peace.

Mr. *William Elliott* sworn.

Examined by Mr. *Thesiger.*

Mr. *William Elliott.*

844. ARE you a solicitor?—I am.

845. In the county of Carlow?—Yes.

846. And in Dublin?—In Dublin principally.

847. Do you know the townland of Killane?—I do.

848. I mean the townlands which were occupied by John Nowlan?—Yes.

849. Were you at any time employed to negociate for the purchase of these townlands from the proprietor?—I was.

850. Who was the person that employed you?—Mr. Lecky, of Ballykealy.

851. Who was the ground landlord?—The Rev. Mr. Digby.

852. What quantity of acres did the whole of the townlands consist of?—One hundred.

853. How many tenants were there upon it?—Two.

854. Nowlan and another?—Nowlan and another.

855. Is that the lease of one of the townlands? [*handing it.*]—Yes, that is it.

856. Mr. *Maule.*] Where did you get this from?—From John Nowlan, the voter.

857. Are you his attorney, or how did you get it?—

Mr. *Thesiger.*] You will find he was engaged by him. I am going to put in the deed, showing he parted with his interest.

[*The Deed was put in, and read, as follows:*]

This Indenture, made the sixth day of May, in the year of our Lord God one thousand eight hundred and one, between Edward Eustace, of Castlemore, in the county of Carlow, esquire, of the one part, and Patrick Nowlan, of Killane, in said county, farmer, of the other part; witnesseth, that the said Edward Eustace, for and in consideration of the yearly rent and covenants hereinafter reserved, hath demised, granted, set and to farm-let, and by these presents doth demise, grant, set and to farm-let unto the said Patrick Nowlan, in his actual possession now being, by virtue of a bargain and sale to him thereof made for one whole year, by indenture bearing date the day next before the day of the date of the presents, in consideration of five shillings sterling, and by force of the statute for transferring uses into possession, and to his heirs and assigns, all that and those, that part of the townland of Killane, otherwise Ballykenane, containing forty acres plantation measure, be the same more or less, all in as full and ample manner as he the said Patrick Nowlan possesses the same, lying in the barony of Forth and county of Carlow; to have and to hold the said demised premises, with the rights, members and appurtenances thereunto belonging or in anywise appertaining,

ing, unto the said Patrick Nowlan, his heirs, executors, administrators and assigns, from the first day of May instant, for and during the natural life or lives of John Nowlan and Alice Nowlan, son and daughter to Patrick Nowlan, party to these presents, aged six and one year old, and John Nowlan of Tullow, son to James Nowlan, Tullow, shopkeeper, or for and during the longest lives of them, or for and during the term or time of thirty-one years, whichever shall continue longest; he, the said Patrick Nowlan, his heirs and assigns, yielding and paying therefore and thereout yearly and every year during the said demise unto the said Edward Eustace, his heirs and assigns, the yearly rent of one pound sterling per acre for each and every acre hereby demised, to be paid by two even and equal payments, on every first day of May and every first day of November in every year during the said demise, over and above all taxes, charges and impositions whatsoever (quit-rent and crown-rent excepted) the first payment thereof to be made on the first day of November next ensuing the date of these presents; and, if the said reserved yearly rent or any part thereof shall happen to be behind or unpaid by the space of twenty-one days next after the days hereinbefore mentioned for the payment thereof, then and so often as it shall so happen, it shall and may be lawful to and for the said Edward Eustace, his heirs and assigns, into the said demised premises or any part thereof to enter and distrain, and the distress or distresses then and therefore found to lead, drive, take away and dispose of according to law; and if no sufficient distress or distresses shall or may be found on the said demised premises to satisfy the said rent and all arrears thereof, then it shall and may be lawful to and for the said Edward Eustace, his heirs and assigns, into the said demised premises or any part thereof, in the name of the whole, to re-enter, and the same to have again, possess and enjoy as in his or their former estate, any thing in these presents contained to the contrary in anywise notwithstanding; and the said Patrick Nowlan does for himself, his heirs, executors, administrators and assigns, covenant, promise and agree to and with the said Edward Eustace, his heirs, executors, administrators and assigns, by these presents, that he the said Patrick Nowlan, his heirs, executors, administrators and assigns, shall and will from time to time and at all times hereafter during the term hereby demised, well and truly satisfy, content and pay to the said Edward Eustace, his heirs, executors, administrators or assigns, the said yearly rent, on the said days and times hereinbefore mentioned for the payment thereof, clear above all the taxes as aforesaid; and the said Patrick Nowlan, his heirs and assigns, shall and will, during this demise, uphold, support, maintain and keep the said demised premises, and all improvements made and to be made thereon, in good and sufficient order, repair and condition, and that at the end of said demise or other sooner determination of this demise, shall and will so leave and yield up the same to the said Edward Eustace, his heirs or assigns; and the said Edward Eustace doth hereby for himself, his heirs and assigns, covenant, promise and agree to and with the said Patrick Nowlan, his heirs and assigns, that the said Patrick Nowlan, his heirs and assigns, paying the said reserved yearly rent and performing the covenants hereinbefore mentioned, shall and may peaceably and quietly have, hold and enjoy the said premises with the appurtenances during the term hereby demised, without any let, hindrance, interruption or disturbance of the said Edward Eustace, his heirs, executors, administrators or assigns, or any person or persons claiming or deriving from or under him, them or any of them. In witness whereof, the parties have hereunto set their hands and affixed their seals the day and year first above written.

It is further agreed between the parties, that the said Patrick Nowlan doth covenant and agree to pay the said Edward Eustace, his heirs and assigns, five shillings and three-halfpence sterling yearly during this demise, being the amount of quit-rent chargeable on said demised premises.

(signed) *Edward Eustace*, (L. S.)
Patrick Nowlan, (L. S.)

Signed, sealed and delivered in the presence of us,
James Nowlan.
Michael Nowlan.

The Indorsement on the Deed is as follows:—

I acknowledge to have received from the within-named Patrick Nowlan the sum of five shillings sterling, bearing date with the within indenture of lease.

(signed) *Edward Eustace.*

Present, *James Nowlan.*

A memorial of the within deed was entered in the register-office, in the city of Dublin, the 7th day of May 1801, at 12 o'clock at noon, in book 534, page 314, No. 352, 533; and the execution of the said deed and memorial was duly proved, pursuant to an Act of Parliament in that case made and provided.

(signed) *John Griffin*, Dep. Reg.

858. To Mr. *Humfrey* by *Committee.*] Have you had any tidings of that missing book yet?—No, Sir; it has not arrived.

859. You have not had an answer from Carlow yet about it?—No, I expect one; probably I may find one on going home.

Mr. *Thesiger* said, the Committee would see, with reference to the deed last read, that John Nowlan was re-registered in 1832.

Mr. *William Elliott* recalled.

Mr. *William Elliott.*

3 May 1837.

860. WERE you employed as attorney to prepare a deed of sale from John Nowlan to Terence Cummins?—I was.

861. Did you prepare the deed accordingly?—I did.

862. Did you see that executed by John Nowlan? [*handing up deed to Witness.*]—I did.

863. You are the subscribing witness to the deed, and saw it executed by John Nowlan?—Yes.

864. Did you investigate the title; you say you were employed by Mr. Lecky to purchase the freehold of this townland?—Yes.

865. Did you investigate the title at the time?—No; because he did not come to an agreement as to the price.

866. Did you ascertain the particulars of tenants' leases, and the quantity, and so on?—Yes, and to know the amount of the tenure; and then I offered a sum, which was refused by Mr. Digby.

[*The following Deed was then put in, and read:*]

THIS Indenture, made the fifteenth day of March, in the year of our Lord one thousand eight hundred and thirty-four, between John Nowlan, formerly of Killane, in the county of Carlow, but now of Dublin, merchant, of the one part, and Terence Cummins, of Monemore, in said county of Carlow, farmer, of the other part: Whereas by indenture, bearing date the eleventh day of March, in the year one thousand eight hundred and twenty-four, made between the said John Nowlan (party hereto) of the one part, and Michael Doyle, of Ballykealy, in the county of Carlow, farmer (since deceased), of the other part, said deed witnessed that he the said John Nowlan, for the considerations therein, did demise and set unto the said Michael Doyle, his heirs and assigns, all that and those, that part of the lands of Killane, in the county of Carlow and barony of Forth, mered and bounded as therein and hereinafter mentioned, containing by estimation twenty-seven acres and twenty-two perches plantation measure, be the same more or less; to hold to him the said Michael Doyle, his heirs and assigns, from the twenty-fifth day of March then next ensuing, for and during the term, time and space of twenty-one years, yielding and paying the yearly rent or sum of fifty-two pounds four shillings and eight-pence sterling then current, on the days and times and in manner therein particularly mentioned as by said deed, reference being thereunto had, may appear: And whereas the said Terence Cummins hath contracted and agreed to and with the said John Nowlan for the purchase or sale of all his the said John Nowlan's interest in said lease, at the price or sum of fifty pounds sterling, to him the said John Nowlan in hand paid, the receipt whereof he doth hereby acknowledge, and thereof and therefrom and of and from every part thereof doth acquit, exonerate, release and discharge the said Terence Cummins, his executors, administrators and assigns, for ever by these presents, he the said John Nowlan hath granted, bargained, sold, assigned, transferred and made over unto the said Terence Cummins, his executors, administrators and assigns, all that and those, that part of the lands of Killane, in the county of Carlow and barony of Forth, mered and bounded on the north by Michael Kelly's late take from the said John Nowlan (lessor), and on the east by James Kelly's land, on the south by the lands of Lisgarvin, and on the west by the said John Nowlan's land (lessor aforesaid), containing by estimation twenty-seven acres and twenty-two perches plantation measure, be the same more or less, together with the rights, members and appurtenances to the said premises belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, yearly and other the rents, issues and profits thereof and of every part and parcel thereof, and all the estate, title and interest, term for years yet to come and unexpired, use, trust, possession, claim, challenge and demand, both at law and equity, of him the said John Nowlan, his executors or administrators, of, in and to the said premises and every part thereof, together with the said in part recited indenture of lease; to hold all and singular the said granted and assigned premises, or meant or intended so to be, and yearly and other the rents, issues and profits thereof, and of every part thereof, unto the said Terence Cummins, his executors, administrators and assigns, from the day of the date of these presents, for and during the rest, residue and remainder of the said term of twenty-one years thereof, granted in and by said indenture of lease of the eleventh day of March one thousand eight hundred and twenty-four, yet to come and unexpired, he the said Terence Cummins, his heirs and assigns, paying the head-rent of said lands, amounting to forty pounds sterling late currency, to the late Rev. John Digby, his heirs or assigns; and the said John Nowlan doth hereby for himself, his executors, administrators and assigns, that for and notwithstanding any act, matter or thing by him the said John Nowlan heretofore done, suffered or committed, he now hath in himself good right, full power and lawful and absolute authority to make and execute this present deed of bargain and sale in manner aforesaid, and that he shall and will from time to time and at all times hereafter, at the request and costs and charges in the law of the said Terence

Terence Cummins, his executors, administrators and assigns, make, do, perfect and execute, or cause or procure to be made, done, perfected and executed, all and every such further and other lawful and reasonable act and acts, deed, conveyances and assurances in the law for the further, better and more perfect assigning and assuring the said premises to the said Terence Cummins, his executors, administrators and assigns, as counsel learned in the law should reasonably advise, devise or require. In witness whereof the parties aforesaid have hereunto set their hands and seals the day and year first before written.

(signed) *John Nowlan.*
Terence Cummins.

Signed, sealed and delivered in presence of *William Elliott.*

Received from the within-named Terence Cummins the sum of fifty pounds sterling, being the consideration in the within deed mentioned to be paid me the day and year within written.

(signed) *John Nowlan.*

Present, *Wm. Elliott.*

867. There are 27 acres mentioned in that deed, there being 40 acres in the original lease; did you ever hear from John Nowlan what had become of the other 13 acres?—O yes.

Mr. *Maule* submitted what John Nowlan might choose to say could not be used in evidence against the sitting member.

Mr. *Thesiger* replied, that he was entitled to give in evidence a declaration made before the voter was polled, and admitted, after polling, the declaration could not be used against the sitting member.

Mr. *Maule* stated, that he must take an objection to the line of examination which Mr. Thesiger now proposed to follow, and apprehended it to be quite clear, if they meant on the other side to impeach the title of John Nowlan to vote, in respect of John Nowlan having parted with his interest, they ought to have given notice to the voter to produce his title-deed, or if he was identified with the interest of the sitting member, offer his declarations for that purpose, and if the sitting member was to be affected by these declarations relating to title, they ought to have given him notice to produce his title-deed. In support of his proposition, Mr. Maule referred to the parallel case of the last Monmouth election.

Mr. *Thesiger*, in support of his right to proceed with the examination, said he would, in addition to the Monmouth case above referred to, draw the attention of the Committee to the Southampton election case (Perry & Knapp, 222), where it was held that evidence may be given of the declaration of a person after voting, even though it may tend to affect him with penal consequences. In the Ripon case, the voter had stated to two persons in the months of June and July, that he had no vote, that his aunt was the tenant of the house; but it appeared that he was rated for the value of the house, and it being proved that he had lived in it down to the time of voting in 1826, the Committee determined the vote to be good. In courts of law, Mr. Thesiger observed, if the party wished to get at documents in possession of the other side, he must give notice to the party to produce them, and if the party served with the notice did not obey, it was then open to him to give secondary evidence of their contents, and in the case of a voter whose vote was unimpeached, he was treated as a party; and any declaration made by a party against himself was always held to be admissible. In conclusion, Mr. Thesiger submitted he had a perfect right to proceed with the evidence of Mr. Elliott on the subject.

Mr. *Maule* was heard in reply.

The Speaker being announced at prayers, the Committee, without having come to a decision, adjourned.

Jovis, 4° *die Maii*, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

4 May 1837.

The Committee-room was cleared for the purpose of the Committee deliberating whether Mr. Thesiger should be allowed to proceed with evidence in the case of Hugh Nowlan, which Mr. Maule had objected to just before the rising of the Committee yesterday, and which they were unable to adjudicate upon at the time, on account of The Speaker having been announced to have taken the chair.

After a few minutes, counsel and parties were again called in, and informed that the Committee had come to the following resolution:

Chairman.] The Committee have desired me to state, they had considerable difficulty with regard to one of the remarks used by Mr. Maule, and that having since the last adjournment taken the best means of ascertaining what was the law on the subject, and finding that lawyers may differ as well as committees, that under these circumstances, looking to the nature of the tribunal, they are of opinion it is much better for the purposes of justice that the evidence should be admitted, subject to whatever weight the evidence may have, rather than reject any evidence.

Mr. *George Elliott* sworn.

Examined by Mr. *Thesiger*.

Mr. *George Elliott.*

868. YOU stated yesterday, in answer to my question, "There are 27 acres mentioned in that deed, there being 40 acres in the original lease; did you ever hear from John Nowlan what had become of the other 13 acres?"—your answer to that was "Yes?"—Yes.

868*. What did you hear from John Nowlan had become of the other 13 acres?—I heard——

Mr. *Maule* objected to the question.

869. What did you hear from John Nowlan with regard to these 13 acres?—At the time I was about to prepare that deed of 1834, he stated to me that he had been in debt to Cummins on a former occasion, and that he had given him over the other 13 acres; I am not sure those are the very words.

870. You say you are not quite sure; but are these the words in substance?—Yes, in substance.

871. I did not suppose you could recollect the precise words; did he at any time before the election say any thing to you on the subject of his vote?—Not antecedently to this last election, but the one we had previous.

872. That was in 1835?—July 1835.

873. What did he say at that time?—It was, I believe, a day or two before the election that I met him, and I believe it was the report of the country.

874. We must not hear the reports of the country; you can tell us what passed between you and Nowlan?—In consequence of what I had heard, I asked him, "was he going to vote; sure you have parted with all your interest;" and he did not deny it, and said he would vote.

875. *Committee.*] What did he say?—He said words tantamount to "I know it," or "I am aware of it."

876. Mr. *Thesiger.*] You asked him if he was going to vote, and his answer was, he was aware of it, or words tantamount to that, and that he was going to vote?—Yes, and he did vote.

877. Do you know these 13 acres; you know the townlands well?—I cannot say I know them pretty well.

878. Do you know them sufficiently well to be able to speak at all about the value of them?—I am no judge of land.

Mr. *Thesiger.*] Then I will not ask you.

Cross-examined

Cross-examined by Mr. *Maule*.

879. Being no judge of land, what are you? —I am a solicitor.

880. Living in Dublin?—Yes.

881. Practising in what they call the Four Courts?—Yes.

882. You were employed by John Nowlan as his solicitor?—No, I was not.

883. Employed by the purchaser?—Yes, by the purchaser.

884. And you did not act on behalf of John Nowlan?—No, I did not; he was very unwilling I should act for Cummins.

885. Were you on bad terms with John Nowlan?—No, not on bad terms with him.

886. You seem to deny my question *modo forma* only; do you mean that there was nothing like bad terms between you?—I knew nothing of the man at all in the way of what you call bad terms with a person.

887. He was only an inferior sort of person to you in point of station?—Yes.

888. Not a person with whom you could, from his station, be sufficiently friendly, or be an enemy, or on bad terms?—No.

889. So far as was consistent with your intimacy with such a person, would you have been on bad terms even if he had at all approximated to your station?—It would come nearer to that than any thing.

890. Then if it was not for the elevation on one side, and the depression of rank on the other, there would have been no friendly feeling; in short, there was no friendly feeling between you?—There was no feeling of enmity.

891. That is not an answer to my question; was there an unfriendly feeling?—There was none.

892. I hope you may have a friendly feeling towards a person very much inferior to yourself?—Surely.

893. And you do not look with unfriendly feelings towards all your inferiors?—No.

894. With respect to Nowlan, you say you had no such friendly feeling?—I had no such friendly feeling, particularly in money affairs, because I was instructed by Cummins, my client upon that occasion, to be careful and guarded in my dealings with him.

895. After that answer, I need not ask you any more about your friendly feelings; you had feelings towards him that dictated that answer, that addition "because;" had you such a feeling towards him as dictated that answer, because you were instructed by your client to be cautious in your dealings with him; did you introduce such an addition to the answer in the case of a man to whom you had a hostile feeling?—I had no hostile feeling towards the man, for I knew nothing of him till I then dealt with him.

896. Nowlan remained in possession of these townlands, did not he?—No.

897. No part of them?—He resides in the house, where I believe his mother lives along with him.

898. Is not he in possession of the house, then?—I believe he is; in fact, I know not.

899. You do not know whether he is in possession of the land?—Land—I do not say that.

Mr. *Thesiger* objected to the question.

900. Do not understand me that I am saying any thing at present to you but questioning you; an interrogation at the end. I put a question to you with a mark of interrogation to every thing I say. I put it as well as I can by asking questions in an interrogative tone. For any thing you know to the contrary, Mr. Elliott, is not John Nowlan in possession of some of the land as well as the house; is not that so, for any thing you know to the contrary?—I believe him not to be in possession of any portion of the land, with the exception of a garden attached to the house of about a quarter of an acre.

901. That is not an answer to my question?—I intended it.

902. You will observe, every thing a man says after a question is not an answer; I do not ask you what you believe, or what you heard from Mr. Cummins?—

Mr. *Thesiger* objected to the question.

Mr. *George Elliott.*

4 May 1837.

903. For any thing you know to the contrary, is not John Nowlan in possession of some of the land as well as of the house, at least, some of the land, for any thing you know to the contrary?—I am pretty sure he is not.

904. I believe I may ask the Committee whether that is an answer to my question?—If I may answer the question without answering it direct, I think I may.

905. Will you answer directly——

906. *Committee.*] Do you know whether he is or not in possession of any of the land, of your own knowledge?—I know he has no possession, except of the quantity of about a quarter of an acre.

907. That you know of your own knowledge?—I know there are subsisting leases between him and the possession.

908. Mr. *Maule.*] Subsisting leases is matter of title, not matter of actual possession. Do you know of your own information that he is not in possession of part of the land as well as of the house?—I know he is not.

909. Will you swear that?—Yes.

910. Do you know who is in possession, and what persons are not in possession?—I think there is a person of the name of Doyle; and, I think, another of the name of Kelly.

911. When you say you think, are you sure of that?—Yes, that is what was generally said; they are residing upon it; that is the general acceptation of the country.

912. And they reside there?—Yes.

913. He resides in the principal mansion-house, does not he?—Mansion-house?

914. Every village in Ireland is a town, is it not; does not he live in the principal house; it is a house with slates, and a chimney to it?—No, it is not.

915. Is it thatched?—There is a chimney.

916. And a window?—Yes.

917. That is rather a stylish sort of mansion-house; it is the best house there is on the townland, is it not?—I do not think it is better than the others.

918. Do you live in that part of the country at all?—Yes.

919. How far off?—About five miles off.

920. You do not visit any of these persons, I suppose?—No, I do not.

921. And what you know of the possession is seeing Doyle living there in some house, and a man of the name of Kelly, and also from seeing John Nowlan and his mother living with him in another house there?—Yes.

922. And among them they cultivated the land?—Yes.

923. That is your state of knowledge?—In truth, Nowlan told me he had set it to Doyle and Kelly; that it was held by them; as well as I remember, that was it.

924. I suppose, Mr. Elliott, you do not remember with any minuteness such trifling affairs as Mr. Nowlan's lands and tenements?—Yes, and I should be in some respect confirmed in my views, because he registered on a 20 *l.* freehold out of those very lands.

925. I am speaking of your own recollection, not from your inferences, but from your own recollection; does your recollection serve you with great accuracy with respect to what you may have heard Nowlan say about these matters?—O yes.

926. Was your attention particularly attracted to it?—It was at the time.

927. You had probably conversations with him on the subject of his parting with his land?—On the subject of parting with his land?

928. Yes?—I had a conversation with him two or three times at the time I was preparing that deed, and the other conversation I alluded to was with respect to his voting in 1835.

929. And one other about his voting?—Yes, at the time he was going to vote.

930. Three or four times you had conversations with him; had you as many as that?—Yes, I should say so.

931. Did you make any memorandum or minute of the conversations?—No.

932. You are a professional man; do not you know it is convenient sometimes, with respect to conversations, to minute them down?—Yes, if I considered they were of that importance at the time they occurred.

933. Then you would have minuted them down as a matter of course, as a matter of business, if you had considered them of consequence?—Yes.

934. In these three or four conversations of which you have spoken, who was present beside yourself?—Not any one but Terence Cummins, the man whom I was concerned for.

935. Terence Cummins, I suppose, is here?—Not to my knowledge.

936. What conversation was he present at?—Only when I was preparing the deed.

937. Was he present at all the times?—Nowlan never came to me, except with Cummins.

938. And Nowlan came unwillingly to you, you say?—So Cummins stated to me.

939. And you believed it?—Yes.

940. Cummins and Nowlan both came to you, and the conversations took place in his hearing?—Yes.

941. Is Cummins any relation of yours?—No.

942. Nor connexion?—No.

943. Is he a Carlow man?—Yes.

944. Where does he live?—Close adjoining these lands. I became concerned for him in consequence of his being a tenant of my father.

945. I did not know but what Cummins might be a person of higher station; he was living in the neighbourhood of these lands?—Yes, he held 50 or 60 acres of land.

946. Was any body present at that other conversation about the vote?—No, to the best of my recollection there was not.

947. To the best of your recollection, are you certain there was not; are you in any doubt about it?—No one was within hearing, but I was brought to speak to Nowlan by another man, who told me Nowlan was going to vote.

948. That other man was a man of your party?—He was; he was also a tenant of my father.

949. And you were the party opposed to Nowlan; he voted in the same interest as he did the last?—Yes.

950. And you were a strong opponent to that interest?—I was.

Re-examined by Mr. *Thesiger.*

951. Without having made minutes of the conversations between you and Nowlan, have you a perfect recollection of them, as you have stated to the Committee?—I have perfectly.

Examined by the *Committee.*

952. Did Nowlan owe any thing to your client?—Yes.

953. Could he pay it?—No; it was in consequence of that the deed of assignment was made.

954. That made him fight shy; it was not very pleasant to Nowlan's feelings to come to your office?—I understood so from Cummins; he owed me no money.

955. Did he owe your client?—No; the head landlord and he were setting it to redeem; there was an ejectment pending at the time, and it was absolutely necessary the thing should be done in a hurry.

956. Then Cummins was a client of yours?—He was.

957. Are you aware when he came into possession of the land?—There was a tenant in possession, and Cummins got his profit-rent, which Nowlan used to receive.

958. How long have you been engaged in these election matters?—Since the passing of the Reform Bill.

959. Can you state the time when he assigned the 13 acres over?—Previous to that, it was stated to me they were already assigned over to Cummins.

960. Did he state the time?—No.

961. Did he state in the conversations the time he assigned them over?—No, not to me, but that they were already assigned.

962. How long has Cummins been a client of yours?—Since I began to practice.

963. That is no rule?—It is six or seven years.

964. Did you ever prepare such a deed of assignment for those 13 acres?—No.

Mr. *George Elliott.*

4 May 1837.

965. Do you know the first year when the profit-rent was paid to Cummins?—The year that the deed bears date, 1834.

966. The deed refers to the first part, not to the 13 acres?—I believe not.

967. You do not know what the consideration was for the 13 acres, which you say had been assigned over by him?—No, I do not.

Mr. *Thesiger* was heard to address the Committee in support of his right to have the voter in question removed from the majority of the sitting member, and commented on the evidence which he had produced, and which he (Mr. T.) contended fully entitled him to sustain his proposition.

Mr. *Maule*, in support of the vote, argued that the only question for the consideration of the Committee was, whether the voter in question had parted with his 13 acres, and in the absence of any document to show such had been the fact, and the suspicious character as a partisan of the evidence of Mr. Elliott, he (Mr. M.) submitted the Committee would declare the vote to be good.

The Committee-room was cleared.

The Committee deliberated.

After a short time counsel and parties were again called in, and informed, "The Committee have decided that John Nowlan's vote should be allowed."

Mr. *Thesiger* said, after this decision, in the absence of a material witness, he must apply for an adjournment of the proceedings till to-morrow.

After a short discussion the Committee adjourned.

Veneris, 5° die Maii, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members called over; all present.

[*The following List was handed in:*]

LIST, No. 5.

LIST, containing the Name of a Voter for the said *Nicholas Aylward Vigors*, whose Vote is bad, he having taken the benefit of and been discharged under the Acts of Parliament for Relief of Insolvent Debtors in Ireland, and the interest in the Lands and Tenements in respect of which he claimed to register (and did register and vote at the said Election) was thereby legally assigned by virtue of the said Acts of Parliament after the said Registration, and before and at the time of the said Election.

Number in Poll-book.	Day of Polling.	Number.	Name of Person.	Barony.	Objection.
294	third -	1	Patrick Ryan -	Rathvilly -	- - The objection to this person is the objection stated in the title of this list.

On the Vote of *Patrick Ryan*, of Rathvilly, No. 294 on the Poll, List 5.

Mr. *Austin* read the following affidavit:

AT a session for the purpose of registering the names of persons entitled to vote at elections within an Act passed in the second and third years of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," holden at Carlow, in the county

county of Carlow, on the 15th day of November in the year of our Lord 1832, by and before the deputy of the assistant barrister of and for the county of Carlow, appointed for that purpose:—

I, Patrick Ryan, of Tullow, in the county of Carlow, shopkeeper, do swear, that I am a freeholder of the county of Carlow, and that I have a freehold therein arising from houses and premises of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Tullow, townland of Tullow, barony of Rathvilly, in the county of Carlow, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 3d day of October in the year 1823, and that I am in the actual occupation thereof by residing thereon, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any in trust for him, her or them, nor do I intend to let the same or any part thereof to such person or persons, or any of them, and that I have not agreed to let it for the term for which I hold it, and that I have not procured or accepted the said freehold fraudulently nor in exchange for a freehold, or in any other county, city or town. So help me God.

(signed) *Patrick Ryan.*

Sworn and subscribed before me in open court, this 15th day of November 1832;

(signed) *George Robinson,*
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTER, County of *Carlow.*

THIS is to certify, that Patrick Ryan, of Tullow, in this county, shopkeeper, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Tullow, townland of Tullow, barony of Rathvilly, in this county. Dated this 15th day of November 1832, at Carlow.

(signed) *George Robinson,*
Deputy Assistant Barrister.

(signed) *A. Humfrey,* Clerk of the Peace.

James Young sworn.

Examined by Mr. *Austin.*

James Young.

968. DO you produce an attested copy of the petition and schedule of one Patrick Ryan?—Yes.

969. Where do you get them from?—From the Insolvent Court in Dublin.

970. When?—Last Tuesday morning.

971. I asked whether you had the schedule; do you produce a copy of the petition?—Yes.

972. Is that it?—[*referring to it.*]—Yes.

973. And assignment?—Yes.

974. What is this; is this the adjudication?—This is his discharge.

975. You say you got these from the Insolvent Court?—I did.

976. Did you see the originals?—I did.

977. In whose possession are the originals?—In the clerk of the Insolvent Court.

978. He produced them in your presence?—He did.

979. And these are copies of them?—Yes.

980. Mr. *Maule.*] Did you examine the copies with the originals?—Yes.

981. Did you compare them from the beginning to the end?—I did.

982. All that?—Yes.

983. Mr. *Austin.*] And all these?—Yes.

984. Whose name is that; I can hardly read it; Patrick Burroughs; who is he?—He is the chief clerk.

985. Did you see him sign it?—I did.

986. Did you examine the signature of Patrick Ryan?—I saw him sign the original.

987. You saw him sign the original?—Yes, I did.

988. And that is his writing?—No, that is a copy of his handwriting.

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989. Do you know that Patrick Ryan?—I do.

990. Where did your acquaintance commence with him?—In the prison, in Carlow.

991. Was that when he was imprisoned for debt?—Yes, it was.

992. It was previous to his obtaining his discharge under the Insolvent Debtors' Act?—Yes.

993. You know the man, and knew him at the time you saw him sign?—I did.

994. Was he the Patrick Ryan of Tullow?—He was.

995. Do you know if there is any other Patrick Ryan in Tullow?—I do not.

996. But do you know whether there is or is not?—There is not another Patrick Ryan in Rathvilly, nor another Patrick Ryan, a freeholder, that I know of.

997. How do I understand you; is there another Patrick Ryan in Tullow?—I do not know that there is any other but him.

998. Is there or is there not another Patrick Ryan in Tullow?—I do not know any other.

999. Do you know the place?—I know where he lives.

1000. And you know Tullow?—Yes.

1001. Do you know any other Patrick Ryan?—No.

1002. To the best of your knowledge, then, there is no other Patrick Ryan in Tullow?—No, there is not.

1003. You say you saw him sign these papers?—I did; not that, but another one.

1004. The original?—Yes.

1005. Do you know his handwriting?—I do.

1006. Were you looking at the original paper?—Yes.

1007. You were looking at it in order to compare this copy?—I was.

1008. Just look at that paper, which is the affidavit of registry; look at that handwriting; whose handwriting do you believe that to be?—That is Patrick Ryan's writing.

1009. It is the handwriting of the same person who signed this affidavit, and it is the handwriting of the same person who signed the original of the schedule?—Yes.

1010. And that man you had in your custody for debt?—Yes.

1011. Were you present when he was discharged?—I was.

1012. You were in court, were you?—Yes.

1013. You were there with him?—Yes.

1014. At the time he was discharged?—Yes.

1015. And did you discharge him yourself?—I did, by the direction of the clerk.

1016. And you saw the originals of these?—I did.

1017. That is the petition; that is the assignment—[*referring to these documents.*] Look at that, is there an adjudication; you say you saw the petition and the assignment?—I did.

1018. Were the words "Patrick Ryan" in the originals of the two documents you produce in the handwriting of the same man?—They were.

1019. Are they in the handwriting of the same man who signed the affidavit?—Yes.

1020. And you saw him discharged yourself?—I did.

1021. Did you see that instrument executed at the time of the discharge?—I saw the clerk sign the book of the discharge, and this was taken out of the book.

1022. And you compared all these documents yourself?—I did.

Cross-examined by Mr. *Maule.*

1023. Are you the gaoler of Carlow?—The deputy.

1024. Do you know Tullow?—I do.

1025. How far is that from Carlow?—It is reckoned eight miles.

1026. Do you mean to swear that you know Tullow well enough to be sure there is no other Patrick Ryan in Tullow?—Not that I know of.

1027. There may be another Patrick Ryan without your knowing him, may there not?—There may.

James Young.

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1028. May there not be three or four Patrick Ryans, for any thing you know to the contrary?—Yes.

1029. Patrick Ryan is a common name; it is not an uncommon name?—It is a very common name.

1030. You produce these papers, which you say you received from the officer at the Insolvent Debtors' Court?—Yes.

1031. And do you mean to say you compared them from the beginning to the end?—Yes.

1032. In what way did you compare them?—The clerk read the original, and I read that.

1033. Did you read every word of what is written there?—Yes, in the margin and all.

1034. From one end to the other?—Yes.

1035. All the figures?—All the figures.

1036. Did it take you a long while?—Indeed it did; and I was nearly tired of it before it was over.

1037. And you know Patrick Ryan?—I do.

1038. Do you know his place at Tullow?—Yes, I do.

1039. And he was discharged, you say, in 1834 by you?—Yes, in April 1834.

1040. After that time he lived at Tullow, did not he?—Yes.

1041. On the same freehold?—He lives there.

1042. On the same freehold?—He does.

1043. Continues there now?—Yes.

1044. Down to the present hour?—Yes.

1045. And was there at the time of the last election?—He was.

1046. And you say you compared all these papers with the originals?—I did.

1047. All of them?—All of them.

[*The Witness withdrew.*]

Mr. *Austin* then produced in evidence the registry for the barony of Rathvilly, which had only arrived from Carlow this morning, and read the following entry: "Patrick Ryan, Tullow; freeholder, 10*l.*; registered 14 Nov. 1832."

Entry from poll-book, No. 294: "Patrick Ryan, Tullow, voting on affidavit of the 15th November 1832; objection made to voter, and filed."

Mr. *Austin* also stated, that this Patrick Ryan was the only person of that name in the barony of Rathvilly, and that this was the whole of the evidence in this case, and he should now proceed shortly to state the facts and suggest the points of law by which he hoped to be able to convince the Committee that this vote ought to be removed from the poll. Mr. Austin observed, the Committee had first of all an attested copy of the petition, of the schedule, and of the assignment produced by the witness, who has examined them, and had been brought from the custody of the proper officer, the clerk of the Insolvent Debtors' Court; and the witness he had produced remembers the voter in question signing that petition, and appearing in court and being discharged by a judgment of the Insolvent Court; he is also acquainted with his handwriting, and upon the affidavit of registry being shown to him, he says it is the signature of the same person who signed the petition, schedule and assignment; the writing of the same person whom he saw discharged by the Insolvent Debtors' Court, and which he (Mr. Austin) submitted was conclusive proof that the person who signed that affidavit was the same person (Patrick Ryan) who had been discharged by the Insolvent Court in 1834. Mr. Austin submitted to the Committee, therefore, there could be no question of the identity of the voter entertained in this case, and that the question now for the consideration of the Committee, and which had been suggested by the cross-examination of Mr. Maule was, whether the registration took place subsequent to or before the proceedings in the Insolvent Debtors' Court, bearing date in 1834. Mr. Austin observed, it was clear from the rest of the evidence the voter was registered in 1832, and the affidavit produced

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duced was 1832; and turning to the register book, the Committee would find that the only man in the barony of Rathvilly there registered was the identical voter, and he was there registered on affidavit of same date as that now produced. Mr. Austin further stated, that his proposition was, that a man having been discharged by virtue of the insolvent laws in Ireland, subsequent to his registry, by virtue of that assignment, previous to his discharge, lost the qualification in respect of which he was entitled to vote. Mr. Austin referred to the Irish Reform Act; the 2 Geo. IV. c. 24; also to the case of Doe dem. Palmer *v.* Andrews, 12th Moore, the marginal note of which is as follows: "J. S., who was tenant from year to year of certain premises, with an agreement by lease demised to the defendant, as tenant from year to year, J. S. was discharged under the Insolvent Debtors' Act, 1 Geo. IV. c. 119; the provisional assignee never took possession of the premises, but J. S. continued to receive and pay the rent, and no ultimate assignee was appointed. Held (Lord Chief Justice Best dissenting), that J. S. could not maintain ejectment, all his interest being vitiated by the assignment, though not acted upon." Mr. Austin also referred to the case of Topham *v.* Dent, 6th Bingham, and read the following marginal note: "Plaintiff, a prisoner, assigned all his effects under the Insolvent Debtors' Act, June 17. His wife continued to reside in his house, retaining some of the furniture. On the 9th of July, the wife having been absent for two days, and no one being in the house, the defendant committed a trespass, in an attempt to distrain for rent. Held, that the wife had not a sufficient possession to enable the plaintiff to sue in trespass." Mr. Austin also stated, that there was a parliamentary decision in the late Dublin Election Committee, where eleven voters had executed assignments, and had afterwards voted on their respective leases. Upon that occasion the question had been argued at great length on each side; but the Committee there had decided by the operation of the Insolvent Debtors' Act, that the voters who had been objected to on the ground of their insolvency were bad votes, and were accordingly struck off. Mr. Austin in conclusion said, that this vote would share the same fate.

Mr. *Maule* then proceeded to address the Committee in defence of the vote, and stated the only question for the consideration of the Committee was, whether Patrick Ryan, who was registered in respect of the freehold lease in 1832, and who, from 1832 down to the present time, has continued in possession of that freehold lease, and who, from that time down to the present hour, has continued in possession and enjoyment of the leasehold premises, the right to enjoy which was conferred by that lease, is to be struck off the poll, or disfranchised or not. Mr. Maule proceeded to address the Committee upon the points advanced by Mr. Austin, and submitted to the Committee, that the voter at the time of the election possessed that land in respect of which he was registered, and was in possession of the title-deeds which conferred upon him the right to vote. Mr. Maule stated, that it was under these circumstances the Committee were asked to disfranchise the voter Patrick Ryan; but he would beg the Committee to recollect, that at the time of the election the voter must have sworn that he was still in possession of the same qualification, and that his qualification still remained the same. Mr. Maule was heard at some length to comment upon the two cases that had been quoted by Mr. Austin in his argument before the Committee, and also referred to the Worcester case, in Rogers' book on Elections, page 147; and in commenting on the Dublin case, which had been quoted by Mr. Austin, Mr. Maule referred to the case of a voter, John Hylam, which had been adjudicated upon by the Dublin Election Committee, and in conclusion submitted, that the current of decisions being in favour of the vote, independent of the general recognized doctrine, that where there was a doubt, the benefit of that doubt should be given to the party accused, he (Mr. Maule) trusted that this Committee would not, upon such vague and indistinct evidence, be the means of depriving the voter attacked of his elective franchise.

Mr.

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Mr. *Maule* having referred to two new cases (the Worcester case and the second Dublin case), Mr. Austin claimed the right to reply upon those two authorities.

Mr. *Austin* was then heard to address the Committee in reply. In conclusion, submitted that the Committee by their decision would declare that the vote now in agitation was a bad vote, and would direct it to be removed.

The Committee-room was cleared.

The Committee deliberated.

After some time, counsel and parties were again called in, and informed that the Committee had come to the following resolution:

"The Committee have decided that the vote of Patrick Ryan be struck off the poll."

Mr. *Thesiger* now begged to hand in the following List:

LIST, No. 4.

LIST of Persons who were improperly allowed to be registered and to vote as Freeholders for *Nicholas Aylward Vigors*, Esquire, at the last Election for the County of Carlow, to each of whom it is objected that the Lessor or Grantor of the Leases to him had not in him a title to grant a Freehold Lease, being possessed of chattel interest only; and, secondly, that the Estate for which he was registered did not entitle him to be registered as a Freeholder.

Number in Poll-book.	Day of Polling.	Number.	Names of Persons.	Barony.	Objection.
67	first -	1	Pierce Joyce -	Saint Mullens	The objections to each and all of these persons are the objections stated in the title of this list.
68	first -	2	Henry Joyce -		
69	first -	3	John Joyce - -		
169	second -	4	John Joyce - -		
66	first -	5	Edmund Joyce -		
4	second -	6	Edward Donohoe -	Idrone East -	
2	third -	7	Timothy Fenlon -		
5	first -	8	William Keegan (Ballyellin) -		
1	first -	9	Laurence Furlong -		
117	first -	10	Michael Byrne -	Forth - -	
284	second -	11	Peter Byrne -		
286	second -	12	James Moran -		

Mr. *Thesiger* stated, that he now proposed to proceed upon this list.

Mr. *Maule* stated, that he must object to Mr. Thesiger proceeding upon this list, on the ground that it would be in effect opening the registry, which the Committee had declared by a former resolution they would not do.

Mr. *Thesiger* stated, that he begged leave to read the heading of list No. 4, which was a "List of Persons who were improperly allowed to be registered and to vote as Freeholders for Nicholas Aylward Vigors, Esquire, at the last Election for the County of Carlow, to each of whom it is objected that the Lessor or Grantor of the Leases to him had not in him a title to grant a Freehold Lease, being possessed of chattel interest only; and, secondly, that the Estate for which he was registered did not entitle him to be registered as a Freeholder." Mr. Thesiger stated, that he understood the Committee by their former resolution to have resolved, that they had not conclusively closed the register, and therefore apprehended, if it was to be opened at all, this was precisely the case in which they would so determine to open it. The Committee would observe the nature of the objection that he had brought forward to their notice; it was, that the party had registered in respect of a

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freehold lease, the lessor or grantor being only in possession of the chattel interest; he (Mr. T.) need not inform the Committee that no freehold could be derived out of a chattel interest, and therefore the qualification in that respect would be invalid, and stated that the question was, whether, in conformity with the decision of the Committee on first day of meeting, he was not entitled to question the right of the particular person to vote. Mr. Thesiger referred the Committee to the 16th and 17th sections of the Reform Act in support of his proposition, and to several other sections, and stated, that they could not take the objection to the particular voter at the time of the election, and that their only remedy was by an appeal to a Committee of the House of Commons; and in conclusion, submitted that if, in the result, the decision of the Committee should be adverse to him, he would bow to it, as he had done on former occasions; but that it did appear to him that the present case was one in which the Committee would feel disposed to investigate the title of persons circumstanced as the present class were, to which he objected most rigorously.

Mr. *Maule* stated that he would not trouble the Committee with much more than recalling to their recollection the statement at the head of list No. 4, and referring them to the decision that they had come to on the first day of meeting, and he (Mr. Maule) felt confident, the more they reflected upon that decision, the more he felt convinced they would feel they had come to a right decision.

Mr. *Maule* referred to the 16th and 17th sections of the Reform Act, which had been adverted to by Mr. Thesiger, and commented upon the arguments adduced by Mr. Thesiger, with respect to the conduct which had been brought forward against the assistant barrister at the election, and finally submitted, that the objection he had taken to Mr. Thesiger's proceeding to this class of voters would be confirmed by the decision of the Committee upon this case.

The Committee-room was cleared.

The Committee deliberated.

After some time counsel and parties were called in, and informed that the Committee had come to the following resolution:

"That the Committee will not open the registry with respect to the list, No. 4."

Mr. *Thesiger* stated, that finding, decision after decision of the Committee, that he was prevented from questioning different classes of voters to whom he considered he had undoubted valid objections, he was at a loss to know how, in conformity with those decisions, it could be competent to him to question the vote of any person which had been given for Mr. Vigors. He (Mr. Thesiger) had entered this Committee-room upon the commencement of this inquiry, under the impression that he had one of the strongest cases that had been submitted to the attention of any Committee, but he had found that case crumbling little by little every day from him, and that this last decision of the Committee had reduced it to dust. It, therefore, would be useless for him to struggle any further, and finding that he had miscalculated his case as far as a scrutiny was concerned, he must retire from the contest. The only remaining question for the consideration of the Committee was the question with regard to the conduct of the sheriff and his assessor. Mr. Thesiger then adverted at some length to the language made use of in their petition, complaining of the return of Mr. Vigors, and stated that he was fully prepared to enter upon the charges against the sheriff and the assessor, and fully substantiate them to the satisfaction of the Committee, and had his witnesses in attendance, who he felt it his duty to present before the Committee.

Sabbati, 6° die Maii, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

Edmund Hayes, Esquire, sworn.

Examined by Mr. *Austin*.

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1048. DID you attend the last election as counsel for Mr. Bunbury?—I did.

1049. Pray, who is Mr. Bunbury's agent?—Mr. Woodroffe.

1050. Do you remember a person of the name of Casey?—I do.

1051. Was he one of the four polling deputies?—He was.

1052. At what barony was he deputy?—Carlow and St. Mullens, for that booth.

1053. Do you remember going with Mr. Woodroffe to Mr. Walsh, the assessor, respecting Mr. Casey?—I remember Mr. Woodroffe coming to the assessor; my usual place was in the assessor's room, and I remember his coming in there and making a complaint against Mr. Casey.

1054. And you remember his coming in there and making a complaint?—Yes.

1055. State what the complaint was. First of all, who was in the room besides yourself?—The assessor was in the room, and the sheriff. I am not quite sure whether he was then in the room, but I know he was before the matter was settled. I am quite sure he was aware of it before the matter was disposed of, and the room was crowded with a great number of other persons.

1056. Mr. *Maule*.] Were those notes you are referring to made at the time?—They were.

1057. Mr. *Austin*.] Will you state the nature of the complaint preferred by Mr. Woodroffe, and what took you there?—A voter came up on Mr. Bunbury's side, and upon his coming up he was asked by the deputy, upon being shown an affidavit, whether that was his affidavit; and Mr. Bunbury's inspector complained of that as contrary to the course to be pursued at elections, and that it was not a proper question to be asked the voter, but the other persisted in doing so, and would not go on with the vote until he had received an answer to it.

1058. That is, Casey did?—Yes; shortly after, a person came up upon Mr. Vigors' side, and the party then desired the deputy to put the same question, or a similar question, to him as had been put on the side of Mr. Bunbury; Mr. Bunbury's inspector required that; Mr. Casey said that he would not put the question, and proceeded to poll the man without putting the question, notwithstanding the urgency of the inspector of Mr. Bunbury to have it put. That was the complaint.

1059. When you say he asked him respecting the affidavit, do you recollect the precise question put to him by Casey?—"Is that your affidavit?" pointing it out to him.

1060. Was it with reference to the signature of the affidavit, and requiring him to acknowledge the signature before he would poll him?—Yes.

1061. That being the charge, what did Casey say before the assessor?—He said something or other, and seemed to be rather throwing himself upon the mercy of the court than any thing else. The assessor called upon Mr. Casey and said, he thought the charge of partiality had been made out against him.

1062. He made no answer?—Certainly, he made no denial of the complaint.

1063. How was the matter disposed of?—Mr. Tighe interfered and stated something.

1064. Who was Mr. Tighe?—He was counsel for Mr. Vigors, and got up a sort of argument on the subject, and at the close of it the assessor disposed of it by saying that he would not venture to brand Mr. Casey with the imputation of perjury, which would perhaps stick to him through life, and suggested a plan by way of accounting for it, namely, that Mr. Casey might have acted in ignorance

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of his duty, and in the interval that had elapsed between the first voter and the second coming up, that is, when Vigors' voter came up, he might have learnt his duty better; and therefore, he might have put it upon that ground.

1065. Who suggested that deputy's defence in the way that you have stated?—The assessor.

1066. Having been urged by Mr. Tighe or Mr. Casey?—Certainly not.

1067. Did you apply to have Mr. Casey removed?—We did.

1068. And that application was refused?—Yes.

1069. That was the decision of the sheriff and the assessor?—The sheriff was standing by the side of the assessor, and he concurred in the decision.

1070. At what time did you go down to Carlow?—The election commenced on the Tuesday, and I went down on the Thursday previous.

1071. You went down there some days before the election?—Yes; six days before the election.

1072. Were you concerned in managing the election?—Mr. Woodroffe, who was conducting agent, had particular business to detain him in town in the Four Courts, and I being acquainted with the county of Carlow, he requested me to go down and organize them a little before the election; and I went down for that purpose.

1073. Were you consulted at all about the assessor?—Never.

1074. When did you learn that Mr. Walsh was appointed assessor?—I heard of it before I was appointed as counsel; before I left town.

1075. You, then, had never been consulted upon the subject?—Never.

1076. Were you ever consulted about the appointment of the four deputies?—Never.

1077. Was it known in Carlow that you were counsel, and that you were down with respect to the election?—Perfectly well known; I was not three minutes in Carlow before I met the sheriff.

1078. Did he know in what character you appeared?—He must have known of it. When I went into Carlow I was carried off from the coach to the club-house, and he was there conversing with a number of gentlemen of the county about the arrangement; and just as I came in I heard the sheriff say, "Gentlemen, you have given me no reason to alter my arrangements," and then he went out. They told me that they had—

Mr. *Maule*.] That you must not tell us.

1079. You say that the sheriff had been speaking to these gentlemen?—Yes.

1080. About this election?—Yes.

1081. Do not tell us what you heard. Was it after that conversation that those gentlemen recommended to you what you were going to state to the Committee? Was it after that, you heard the conversation between those gentlemen?—Yes.

1082. Immediately after?—Shortly after.

1083. And then on the morning before the election you found those four deputies appointed?—Yes.

1084. I think, you before stated to the Committee on another day, that you were present when Hugh Nowlan came to the poll?—No, not when he came to the poll: I was there when the objection came up before the assessor.

1085. The objection being, as before stated to the Committee, that there was an error in the certificate with respect to the barony?—Yes.

1086. And after he presented his certificate, he was refused to be put upon the poll?—Yes.

1087. Pray do you remember a case on a subsequent day of a similar description?—Yes, I do.

1088. Will you state what it was?—A person came up—I was at the time in the assessor's room in the barony of Idrone West and Forth, in the booth upon Mr. Vigors' side—the deputy, when he came up, showed him the affidavit and said, "Which do you poll from?" and he answered him and said, "I poll from my affidavit." "Is that your affidavit; look at it?" "Yes." He said it was his affidavit; this proved to be the affidavit sworn; that was the case stated; I was not in the booth; it was stated in the assessor's room in which the assessor adjudicated. He asked him, "Is that your affidavit?" "Yes." He polled him from that book; then the memorandum and the objection came up, and that affidavit was sworn within six months;

months; and when we came to argue the question, he asked "if this man's attention had been drawn to the fact of the affidavit having been drawn within the six months?" "No." He then desired the deputy to go down and call the man's attention to that fact, and said, that if he persisted on swearing on his affidavit, why, then go on and do your duty; and, if not, let him retire upon any other document that he chooses to rely upon.

1089. That was the judgment that he gave?—Yes.

1090. Do you remember the name of that voter?—The voter's name was, I believe, Mooney, of Macduff. It was Mooney; I think that was his name; that man afterwards, I believe, polled out of an erased entry out of the clerk of the peace's book.

1091. Are you acquainted with the form of oath required by the Irish Reform Act?—Yes.

1092. The freeholders' vote?—Yes.

1093. Do you remember the form of that oath?—Yes; "I swear that I am the same A. B. in the affidavit or certificate now produced, and retain the qualification;" in fact, it is the identity oath, as we call it.

1094. Do you happen to know whether that oath was administered to the person you have described as polling after the erased entry?—Shortly after the man came up; he was up several times, making complaints that he could not give them the identity oath; he had no affidavit or certificate to produce from the man.

1095. What took place upon that?—He told him to go down and administer the oath.

1096. The assessor told him so?—Yes.

1097. What form of oath was administered to those persons?—I do not recollect.

Cross-examined by Mr. *Maule*.

1098. You went down the Tuesday before the election?—The Thursday, I think it was.

1099. I thought you said the election was on the Thursday?—No, on the Tuesday.

1100. You went down as manager and agent?—I went down as a friend of Mr. Bunbury's.

1101. In short, as a partisan, if I may speak so without offence, supporting his side?—Certainly, I was; I went down to support him and was paid for it.

1102. You being a friend, well acquainted with Mr. Bunbury, you went down there and was paid?—Yes.

1103. That is sincere sort of friendship to be obtained for pay?—Exactly, which I suppose you work for, too, to your client, and I hope you do not think it the worse because it is paid for.

1104. I believe gratuitous work is not so good as paid work?—I should say generally, certainly not.

1105. If you want people to work hard you must pay them well for it, must not you?—Yes.

1106. You went down as a paid agent and supporter of Mr. Bunbury, and to organize the electors, I think, you say?—Yes, I set matters a little in order.

1107. It was a pretty difficult thing to do, was not it?—Not particularly so.

1108. Did you announce yourself to the opposite party as a person to be dealt with as an agent of Mr. Bunbury's?—Certainly not. I did not announce myself to any body, I did not send a messenger before me to say so.

1109. But when you got there?—I was perfectly well known in Carlow, and every body knew what I came about, and it did not require much announcement.

1110. Then, that they might know from report?—Mr. Fitzgerald was there, who acted prominently for Mr. Vigors, and he knew very well what brought me down.

1111. You were dealt with as an acting agent?—I did not act as attorney.

1112. I suppose each party had regular agents or attornies?—Decidedly; each party had a conducting agent, of course.

1113. You were not consulted, you say, about the assessor?—No.

1114. The assessor was appointed before you were counsel?—I heard of Mr. Walsh being appointed in the hall of the Four Courts.

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1115. That was before you were appointed yourself as counsel or agent, or whatever name you choose to call it?—Yes.

1116. Does that account for your not being consulted about it?—I do not know; I was appointed a pretty good while before; I was appointed on the Thursday before the election.

1117. That is to say, before the day of nomination?—Nearly a week before the election.

1118. Tuesday was the day of nomination?—Yes.

1119. You were appointed nearly a week before the election, and it struck you as very strange you were not consulted?—I think either Mr. Brewster or me ought to have been spoken to about it.

1120. Who is Mr. Brewster?—Mr. Brewster was for many years the person who attended at the elections for the gentlemen of the county of Carlow, and was their confidential adviser.

1121. Mr. Brewster was their confidential counsel?—Yes.

1122. Is he a gentleman living in Dublin?—Yes.

1123. A King's counsel?—Yes.

1124. Did he act for them at Carlow?—Not upon this occasion.

1125. He is not here, I suppose?—I have not seen him here.

1126. Have you been engaged at many other elections?—Never but one before.

1127. And that election, I take for granted, you were consulted as to the assessor?—No, Mr. Brewster was down before me there; he was my senior counsel.

1128. In fact, you never have been consulted as to the appointment of assessors at elections?—Never.

1129. From whom did you learn that Mr. Walsh had been appointed assessor?—I cannot say at the present moment.

1130. You say that you heard in the hall of the Four Courts of the appointment of Mr. Walsh?—Yes.

1131. On the Thursday; was it before the election?—On the Wednesday.

1132. Did you hear at the same time that he had been recommended by the Attorney-General or Mr. Richards?—No, not at that time.

1133. You have said already that he was in a confidential situation, to which he had been appointed by Mr. Richards?—Yes.

1134. Is he not of a high character at the bar?—Indeed that is the relative matter; he is, hardly speaking, a young man.

1135. Is he somewhat older than you at the bar?—I do not know; I understand he was in the Navy; I understand that he spent the earlier part of his life in the Navy; I do not think that he has been so long a period as I have at the bar.

1136. I believe Lord Erskine was at one time in the Navy?—I believe so.

1137. Is he not a man of high reputation and character at the bar?—I have nothing to say against him.

1138. Is he not a man of high respectability and character?—I know nothing against him; I know him to see him, and able to say that is Mr. Walsh; but I did not know him to address him before he went down; I know very little of his character, and I am very unwilling to say any thing against any gentleman at the bar.

1139. I will ask you, upon your solemn oath, Mr. Hayes, is he not, to your knowledge, of high respectability and character?—I know nothing of him before he went down, except that he was Mr. Richards' *employé*; I had known him only at the election.

1140. But his character, you mean to say, you know nothing about, nothing more than what you have stated. Have you not heard him spoken of by gentlemen of the bar at the Four Courts in a very respectful manner; have you not heard him speak in court?—I heard him make a motion once or twice, but I really know nothing of the gentleman's private reputation.

1141. I am not asking you about any gentleman's reputation; but was not it publicly known in the Four Courts?—I know nothing of his public reputation.

1142. You do not now believe him to be a man of character and respectability?—It is very hard for me to say; he was a young man who might have been six or seven years at the bar. What a gentleman's reputation is, in six or seven years, we all know. I know nothing against him; he was a man of whom I knew very

very little; I had a very slight acquaintance with him; but I know nothing whatever against him.

1143. There was a complaint against Mr. Casey, you state?—There was.

1144. It was stated that Mr. Casey had asked a person something about affidavits; was that the complaint?—Yes.

1145. And that was stated to be wrong?—Yes.

1146. Did not the assessor consider that it was right?—In Mr. Casey?

1147. Yes?—So I understood.

1148. And ultimately that was his opinion?—Yes.

1149. That which he did before, then, about asking about the affidavit, was wrong?—Yes.

1150. And afterwards he refused to do so again; and the complaint was, that he afterwards refused to do so?—Yes, to put a similar question to another voter.

1151. And that which was admitted to be right was refused?—Yes.

1152. The charge made on behalf of Mr. Bunbury was not his refusing to put the question again, but asking it, in the first instance?—The charge was, that he had done that for one which he would not do for the other.

1153. There were two opposite things that he was said to have done?—Yes.

1154. Were both of those things stated to be wrong?—No, only the sin of commission in the first instance, his putting the question at all.

1155. That he had done that at first?—Yes.

1156. And afterwards would not do it; he only had that one opportunity of doing wrong?—Yes.

1157. And he did not do it any more?—No.

1158. Only in that one single instance; you mean to say that he had only that one opportunity of doing wrong?—Yes; and then he was pulled up; it was then brought before the assessor.

1159. There were two opportunities, in the first instance; he asked, is not that so?—He asked the question of Mr. Brewster.

1160. And then the matter was brought before the assessor?—Yes, and he desired him not to do so again.

1161. It was objected to him that he had done wrong in the first instance?—Yes.

1162. And the assessor told him not to do so any more?—I did not hear of it any more.

1163. Is it likely that you would hear of it any more?—It is very likely I should.

1164. Have you any doubt about it?—I have not any doubt about it.

1165. Do not fence the questions, but answer them plainly?—I answered the questions very plainly, but I cannot give positive answers, as I have no grounds for them.

1166. As I understood you, the assessor admonished Mr. Casey not to do that which had been complained of again, and he did not do it again?—I did not hear of it again.

1167. Should you have heard of it had he done it again?—I think that it is very likely that I should.

1168. Do not you know that in order to see that there should be no incorrectness in future, that the sheriff went and sat in Casey's booth?—Yes, so I have heard.

1169. In fact, there was no further complaint of Mr. Casey, was there?—I do not recollect.

1170. You would have heard if there was one?—Most likely I should; decidedly, in the assessor's room.

1171. And you were there to hear what took place, were you not?—Yes; most of the day I was in the assessor's room.

1172. That was your business, was it not?—Yes.

1173. Mr. Casey, as I understood you, admitted that he was wrong in asking that question, and made some apology?—I do not think he admitted he was wrong.

1174. But I understood that that was your impression?—He stated something, I do not recollect what, but I do not think it amounted to an admission that he was wrong.

1175. And he did not do so any more?—No.

1176. Were there not some gentlemen of the county who came forward on behalf of Mr. Casey, representing him as a person not likely to act wrong wilfully?—

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wilfully?—I do not remember any thing of that kind. I will tell you what I said: I was surprised to hear that Mr. Casey, who I knew was a man of good character, I was surprised that a complaint was made against him, and I was more surprised that he had not denied it.

1177. The complaint having been made, and the thing having been done, he was admonished not to do so any more?—Yes.

1178. Was Casey a man of good character?—I have heard him spoken well of; he was a brewer in an adjoining town.

1179. A man of respectable station in life?—I have never heard any thing against him.

1180. He was a person of good repute, and you expressed your surprise at his doing any thing wrong?—Yes.

1181. And the wrong he had done was asking this question about the affidavit?—Yes; that was not what we complained of, but having committed the error against us, that he would not measure out the same justice to both parties by asking the same question on their side.

1182. And Mr. Walsh, I think, you say, decided to put it upon the ground that, as the second mode of conducting himself was right, he might be presumed to have discovered his error?—Yes.

1183. And he admonished him not to do so any more?—Yes.

1184. I think you said something about a person who was asked whether such a thing was his affidavit; a case was made against Mooney, and he said it was?—Yes, that it was the affidavit he intended to poll upon.

1185. Was not it insisted upon on his behalf; were there not, in fact, two affidavits with respect to that man; one of the year 1836, and one of the year 1832?—I have no doubt the affidavit was offered which he registered in 1832.

1186. And the one also in 1836?—The one in October 1836 was produced.

1187. You were not in the booth when the thing took place?—No.

1188. Was it not insisted on before the assessor, that he had been misled by the affidavit being held up at a distance, and asked what was his affidavit?—No.

1189. Do you mean to say you did not hear that take place?—I believe nothing of the kind took place; I believe it was admitted that Mr. Reid, the deputy, had shown him the affidavit close enough to his eyes to read it.

1190. In fact there were two affidavits; one before six months, and one within six months?—I did not say there were two.

1191. But were there two in existence?—I cannot say; I do not know the practice of the clerk of the peace's office, and he having the affidavits of the persons ordered to be struck off by the House of Commons, and I do not know whether he keeps them among the records of the county or what he did with them.

1192. But we have seen them all here?—Yes, if you have, there can be no doubt of it; I never saw it, to my knowledge.

1193. If he was registered twice there would be two affidavits, would there not?—There ought, in the course of things.

1194. And it was alleged that the affidavit was shown him, and he was asked whether that was his affidavit?—Yes, " was this the affidavit he intended to poll upon?"

1195. Do you mean to swear those are the very words he made use of?—I do not mean to swear so, because it may have been " to vote," or " relied upon;" but I will swear it was to that effect.

1196. Not " is that your affidavit?"—The impression conveyed to my mind was by Mr. Reid (I mean to give you the case as made out in the assessor's room), that it was conveyed clearly that that was the affidavit he intended to rely upon.

1197. And did not the assessor decide upon the ground that it did not appear to him that the man's attention had not been called to the date of it; and therefore he should be permitted to rely upon the valid affidavit; was not that the ground?—He never directed him to rely upon that.

1198. Was not that the ground of the assessor's decision, that the party might have been misled, not having his attention called to the date?—He desired the deputy to draw his attention to the affidavit.

1199. You say, Mr. Reid, the deputy, came up two or three times, and stated to the assessor there was no certificate or affidavit?—Yes, he complained at least twice.

1200. The

1200. The assessor told him to go and administer the oath to those who were willing to take it?—Yes.

1201. And you say there was no certificate or affidavit; are you sure they said neither certificate nor affidavit?—In this case?

1202. Yes?—Those disfranchised men; there was no affidavit produced for them; there was no affidavit produced at the election for those men.

1203. Was not it alleged with respect to them that the affidavit was destroyed?—I never knew it.

1204. Did not the clerk of the peace say they were destroyed?—I never heard him say any thing of the kind.

1205. Did you hear the affidavit asked for?—I really do not recollect.

1206. Try and recollect, because the affidavit must have been a most material thing, and much wanted?—I cannot recollect; they were not produced, at any rate.

1207. Was not the clerk of the peace asked about them, and examined about them; he would be the person to have the custody of them, would he not?—Yes. I am not certain whether he was or was not asked about them; very likely he was asked about them; it was very likely he was, but I have no distinct recollection about it.

1208. Did not he say he had destroyed them?—I do not recollect any such assertion, and I do not think, from what I know of the clerk of the peace, that they were destroyed, especially if you have had them here.

1209. But he did not produce them there?—No.

1210. He produced them here, but he did not produce them there?—I believe not.

1211. Did not he give some reason for their non-production?—I believe the clerk of the peace's case was, that he relied upon the authority of the House of Commons, and stated that he was ordered to strike them off and take their affidavits out of the files, but that he had destroyed them, I never heard the man say.

1212. That he had taken them off the files?—Yes.

1213. And therefore would not produce them?—I believe he did not produce them.

1214. Was not he asked to produce them?—I do not recollect whether he was positively asked for them or not. I am sure Mr. Walsh asked him what had become of the affidavit. I suppose he had told them they had been taken off the file.

1215. Do you suppose Mr. Walsh was content with that answer?—I cannot tell.

1216. That was one of the trifling things you do not remember?—You are not satisfied with my first proposition, and I cannot speak as to what passed in the mind of the clerk of the peace. I know the affidavits were not produced, but I cannot give evidence of what was passing in the clerk of the peace's mind.

1217. But you know this was one of the most striking events in the whole election; do you mean to say you have no recollection of the clerk of the peace being asked for the affidavit?—Indeed I do not distinctly recollect. I remember Mr. Walsh once, when a case came on for discussion, asking for the affidavit, and the clerk of the peace said that he had, in obedience, taken them off the file, and declined to produce them. They were not produced, and that is the only fact I know.

1218. You remember him making that application?—I think he asked him where they were.

1219. Previous to that, some person had been allowed to poll upon an old affidavit; an affidavit upon which he had been registered and afterwards struck out?—I do not know that any man was allowed so to do, but I told you no affidavit was produced.

1220. No affidavit was produced with respect to any of those men that were struck off?—Of the disfranchised men?

1221. Yes?—I believe there were none; I do not know of a single case; it may have been done, but I do not know of a single case where one of those disfranchised men polled from the affidavit made previous to their being disfranchised by the House. I do not believe there is any such case.

1222. You say the clerk of the peace declined to produce the affidavit?—So I understood.

 1223. Was

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1223. Was there no discussion about his being obliged to produce them?—I do not recollect at this moment.

1224. Cannot you give me an answer to that?—I do not recollect any thing more passing then, but I have a dim recollection of Mr. Walsh asking what had become of the affidavits, and that struck me he was asking more for information than any thing else, and it was then he got the answer about their being taken off the files; and my recollection is, that he went no further into the inquiry about that.

1225. *Committee.*] Did you say that the clerk of the peace refused to produce these affidavits upon being asked for them by Mr. Walsh?—My recollection is this; that Mr. Walsh said, "where are the affidavits?" Mr. Humfrey, the late clerk of the peace, said, "in obedience to the order of the House of Commons I struck them off, and took them off the files;" nothing further was intended; it was rather a question of information put by Mr. Walsh than any thing else.

1226. Mr. *Maule.*] The man was subsequently polled from the register book?—John Mooney, of Macduff, did; I take it to be so, and I understand it was him.

1227. The register book, stating his name and description and freehold, and state of his certificate?—Yes, giving an outline; that contained a scrape of ink over it, the words "struck off by Committee."

1228. The assessor held, that that striking off did not disentitle the voter?—Yes.

1229. Was there not a lengthened discussion?—There was a discussion upon that, and upon Coady's vote, and another of the name of Wynne, and I argued it.

1230. There was no want of discussion there; the discussion was as long as the importance of it demanded?—Yes.

1231. All you had to urge was heard, I suppose?—Yes.

1232. And attended to, as far as you can say?—It was heard upon those occasions.

Re-examined by Mr. *Austin.*

1233. Now, as to this matter, you say the discussion took place on the vote of Coady and Wynne?—Yes.

1234. That was, as to the propriety of admitting to the poll those persons struck off by order of the House?—Yes.

1235. Was any notice with respect to those persons framed before the election took place?—Yes, I framed a notice.

1236. Did you communicate that notice to the sheriff?—I did not communicate it to the sheriff, but it was to be served upon the parties as they came up to the poll.

1237. To the voters?—Yes.

1238. As they came up to the poll?—Yes.

1239. Did you see the order of The Speaker of the House of Commons?—Yes.

1240. And the warrant?—I saw the Report of the Select Committee, the order of The Speaker, and the letter from The Speaker's secretary.

1241. Where did you see them?—I saw them in Mr. Humfrey's hands.

1242. At what time?—Upon the discussion; I do not think I saw them before the election; I saw them on the discussion of Edward Wynne's vote, and tendered them in evidence.

1243. To whom?—To the assessor.

1244. Was the sheriff present upon that occasion?—I am not sure whether he was then present, but when I served the sheriff with the report, he was then present.

1245. You afterwards served the sheriff with those documents?—Yes; I served the assessor and the sheriff.

1246. In order to affect them formally with those notices?—Yes; and I told them what they were, and gave them copies of them; I believe it was in to the assessor's that I gave it.

1247. Was the sheriff present?—Yes, when I served one of them; and I said, "Mr. Sheriff, I have served the assessor with one, and have explained to im what it was."

1248. Was

1248. Was this after more than one of these persons had polled?—It was after Wynne had polled; I do not know of any others.

1249. Was it before the discussion upon Coady's vote?—I think it was.

1250. After that discussion and the decision of the assessor, you considered it useless to discuss the matter further?—Yes.

1251. You say that you had prepared notices of this description; had you done so before the election or not?—Yes.

1252. Now, with respect to this other case, upon which you have been cross-examined by Mr. Maule, I will ask you, whether or not the charge made against the sheriff deputy—was there not a charge of partiality brought against him?—Yes.

1253. It was put distinctly upon those terms, the charge of partiality?—Mr. Woodroffe said, when he came into the room, I have a charge to make against him.

1254. Was that the only charge?—There was some charge made against that man once or twice; after that there was none.

Mr. *Maule* objected to the question.

1255. You say he had been previously complained of?—Yes, I understood so.

1256. Were you present?—I do not recollect whether it was said, this is not the first or second complaint of Mr. Casey; but what those complaints were I do not know, as I was not present.

1257. Was that stated when you were present?—Yes.

1258. Upon that occasion you say the charge preferred was a charge of partiality; did not they make application then, on behalf of Mr. Bunbury, for his removal. Now, with respect to Mr. Walsh, you say you learnt the appointment of Mr. Walsh in the hall of the Four Courts?—Yes.

1259. Was it a special communication, or the buzz of the people there assembled?—It was the buzz of the hall.

1260. You have been asked about the character of Mr. Walsh; did it excite some surprise his appointment?—Yes.

1261. Was it known that Mr. Walsh was a member of the General Association?—

Mr. *Maule* objected to the question.

1262. Was it known at the bar that Mr. Walsh was a member of the General Association?—It was generally believed that he was connected with it.

1263. You say there was a buzz in the hall about his appointment?—Yes.

1264. Was it not part of the conversation that he was a member of the General Association?—Yes.

1265. Was that one of the topics of conversation?—

Mr. *Maule* objected to the question.

1266. You say it did form part of the conversation that he was a member of that association?—

Mr. *Maule* objected to the question.

1267. Nevertheless, notwithstanding Mr. Maule's objection, Mr. Hayes, if you please, I will put this question, and request an answer, whether or not it was a part of that conversation that Mr. Walsh was a member of the General Association?—

Mr. *Maule* stated, that he must now seriously object to Mr. Austin putting these questions to the witness, with regard to Mr. Walsh being a member of the General Association.

Mr. *Austin* was heard in support of his right to put the question.

Mr. *Maule* was heard in reply.

The Committee consulted among themselves, and decided that the question should be put.

1268. Nevertheless, notwithstanding Mr. Maule's objection, Mr. Hayes, if you please, I will put this question, and request an answer, whether or not it was part of that conversation that Mr. Walsh was a member of the General Association; that

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that was the question that I asked you just now; will you be good enough to answer it?—Yes, that he was a member of that association; that he was connected with that association; I have stated that I knew, from conversations I had with some friends of mine, to whom I spoke about it, and I heard that Mr. Walsh had been appointed assessor.

1269. Mr. *Maule.*] That you heard from some friends of yours?—Yes, members of the bar.

1270. Mr. *Austin.*] From common friends at the bar?—Yes.

1271. Now, you have been asked as to whether Mr. Brewster had been consulted as to the appointment of Mr. Walsh; was it known that Mr. Brewster was the confidential adviser of him also in the county of Carlow?—Yes, it must have been known.

1272. There could have been no doubt about it?—Not the least.

1273. That he had been professionally engaged upon such occasions?—Almost uniformly, I believe, at elections.

1274. And he is a King's counsel?—Yes.

1275. Mr. *Maule.*] Are you a member of any association?—Of any association?

1276. Yes?—I do not recollect at present; I believe I am a member of a club.

1277. Any particular liberal club?—Indeed I do not know; I am a member of the Friendly Brothers.

1278. There is a little squeeze of politics in that club, I believe?—I do not know that there is; all I know about it is, that none but Christians can belong to it; but I know that the gentlemen in it are exceedingly liberal.

1279. You do not admit Mahometans or Turks?—So I understand; that is one of the ancient rules of the order.

Examined by the *Committee.*

1280. You use the words in the course of your examination; "that the clerk of the peace declined to produce the affidavit;" I want to understand you distinctly; do you mean to say, that he used any words expressing that he refused or declined to produce them, or do you merely mean to say, that that was the impression conveyed to your mind?—Yes; that he did not produce them; I do not mean to say that he absolutely refused to produce them, I have no recollection of his doing that; but he said he took them out of the files, and he did not produce them.

1281. You have stated that complaints were made with regard to the conduct of Casey; I do not quite understand you; do you mean to say, that he said that before the sheriff, or was it part of his statement in the single case brought before the sheriff?—In the single case. "This is not the first or second complaint," said Mr. Woodroffe, "I have made against Casey; and I have now a case of gross partiality to bring against Mr. Casey."

1282. And you were in the assessor's room?—All the time of the election?

1283. Yes?—No; because I went through the booths and in the club-house; but I do not recollect, at present, any formal complaint but that.

1284. Were you present when any other complaint was made against Casey for partiality; were you to argue the question?—I am trying to tax my recollection; I do not remember distinctly any other.

1285. Should you have been present, if any matter of complaint had been brought forward; would it have been your duty?—Decidedly; if any formal complaint was made, I presume I should have been sent for, even if I had been absent from the assessor's room.

1286. Upon what day of the election was the complaint made? [*The Witness referred to the poll-book.*]—The 16th of February, I take it to be.

1287. That is the 2d day?—Yes; the 2d day's polling.

1288. What became of that man's vote which was the subject of discussion?—Which man?

1289. John Mooney, of Macduff?—That was before Mr. Reid, the deputy, in another barony; Mooney, I understand, voted; this was the case in Carlow and in Mullens, and the other occurred in Idrone West.

1290. The cause of complaint against Casey arose out of some particular voter?—Yes; I do not recollect the name of the voter.

Mr.

Mr. *William Elliott* sworn, and examined by Mr. *Austin*.

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1291. WERE you engaged at the last election for the county of Carlow?—Yes.

1292. Had you been engaged at previous elections?—Yes.

1293. Since 1832, you told us before on another day?—Yes.

1294. Are you acquainted with the general character of the persons who acted as deputies at those former elections?—Perfectly.

1295. Were they usually persons of respectability?—Yes.

1296. And intelligence and fitness for the office?—Yes; as any that could be found in the county.

1297. Were they all men of property?—They were.

1298. And men of station?—Yes.

1299. Do you know who acted as deputy at the last election?—I do.

1300. What were their names?—There was Mr. Casey—Patriot Casey, I think they call him—Robert Lawler, Mr. John Coffey and Mr. Reid.

1301. Do you happen to know whether or not any of those four gentlemen were partisans, and if so, on which side?—I always considered Mr. Casey a partisan on Mr. Vigors' side; I did not know Mr. Casey ever much meddled in politics; Mr. Lawler, I should say, was a decided one on Mr. Vigors' side.

1302. There are clubs in Carlow—clubs, what I call liberal clubs?—Yes.

1303. *Committee.*] What has become of Mr. Reid; on what side was he?—He was on Mr. Bunbury's side.

1304. By Mr. *Austin*.] Is there a liberal club in Carlow?—Yes, and to which, I believe, Mr. Fitzgerald was secretary.

1305. I suppose you are not a member of that club?—I have not that honour.

1306. Do you know whether any of the deputies were members of that club?—No, I cannot take upon myself to say that.

1307. Not being a member of it yourself?—I have not seen the list either.

1308. Do you know Mr. Woodroffe?—Yes, I do; he was the gentleman acting as conducting agent for Mr. Bunbury at the last election.

1309. Did you go with him to Mr. Vigors on that occasion?—I did, the day previous to the election.

1310. For what purpose?—Mr. Woodroffe being a stranger in our county, I went with him to introduce him to the different parties, and our business with Mr. Vigors was in order to be put in communication with his conducting agent.

1311. Did you see Mr. Vigors on that occasion?—I did; we inquired, I forget first of all where, but we all retired to the liberal club for Mr. Vigors, and there we met him, in company with Mr. Fitzgerald and some other gentlemen.

1312-13. And there you saw Mr. Vigors?—Yes.

1314. Had the party of Mr. Vigors a committee?—I cannot say they were sitting in committee at the time.

1315. Where were their head-quarters?—In the liberal club.

1316. And you saw Mr. Vigors there?—Yes.

1317. Did Mr. Woodroffe or you communicate your interest?—We told him it was usual to be put in communication with the conducting agent.

1318. Is that a gentleman whom you know to be a secretary of this club?—It is.

1319. Do you know Mr. Fitzgerald?—I do.

1320. Does he live in Carlow?—He does.

1321. What is his station in life; what business does he carry on?—Upon my word I cannot exactly define it of late years.

1322. What was he?—He had been a pawnbroker.

1323. You say you cannot define it of late years?—No, I cannot; he got a sort of situation since the Reform Bill passed, but I do not know what name to give to it.

1324. Cannot you describe it; cannot language describe it?—He is a supervisor of every person who wishes to register on the liberal side; providing their notices; beating up their case, and so far as that goes: that is his only calling, that I know of.

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1325. He has been engaged in supervising the liberal registration since the Reform Bill?—Yes, and manager.

1326. Do you know whether he has entirely left the pawnbroking trade?—Yes.

1327. He now supervises the votes?—Yes.

1328. And he is secretary to the club?—Yes.

1329. Was he a supporter of Mr. Bunbury at the last election?—Yes, always the most staunch.

1330. That was the gentleman, I understood you to say, who was mentioned to Mr. Vigors the day before the election as his consulting agent?—Yes.

1331. Do you know in what situation Mr. Fitzgerald acted during the election?—He acted as the deputy sheriff for Mr. Keogh.

1332. When did he first act as deputy sheriff for Mr. Keogh?—I think it was immediately after we left Mr. Vigors' committee-room that we called upon Mr. Keogh.

1333. The sheriff?—Yes.

1334. Did you see him?—We did.

1335. Will you state what passed?—We called upon him for the purpose of knowing what arrangements he had made respecting booths, and said it was usual to consult the parties upon either side as to the arrangements of those booths, and he, in fact, referred us to Mr. Fitzgerald, as his deputy, to manage the booths; and as he knew the localities of the court-house better than he did, Mr. Fitzgerald would go down in a little while and would show him the house.

1336. He referred you to Mr. Fitzgerald as his deputy sheriff?—Yes, as his deputy sheriff.

1337. You say he referred you to him as his deputy sheriff?—He did.

1338. That you distinctly state?—Yes, and we went down and he arranged the booths, some part.

1339. Did you observe how and in what manner Mr. Fitzgerald acted during the rest of the election?—Altogether as deputy sheriff to Mr. Keogh, sub-sheriff, as we call him.

1340. *Committee.*] In Ireland, I believe, they call him sub-sheriff, do they not?—Sub-sheriff is the more usual word. He held the same situation Mr. Fitzgerald did.

1341. Had he been sub-sheriff before the election?—Mr. Keogh was sworn into office a very short time before the election, and up to that time no one acted as the sub-sheriff until the occasion of the election, when there was an absolute necessity for such a person. Mr. Fitzgerald was the person named as his sub-sheriff, and he acted so during the election, and I think some few days afterwards, until another gentleman was named.

1342. By Mr. *Austin.*] By sub-sheriff you mean the deputy sheriff?—Yes.

1343. You say he acted so during the election?—He did.

1344. Did he happen to furnish you with a bill for the expenses of the election?—Yes, one part. I called subsequently after the election to pay Mr. Bunbury's proportion of expenses.

1345. Upon whom did you call?—On Mr. Fitzgerald.

1346. As the sub-sheriff?—He was at that time out of office.

1347. He had been, then, superseded?—Yes.

1348. How came you to call upon him?—He was the person who furnished the bill of the expenses of the election.

1349. Had he previously furnished you with the bill of expenses?—Yes.

1350. In consequence of that you called upon him?—Precisely.

1351. Is that the bill? [*handing the bill.*]—That is the bill.

1352. Does that contain Mr. Bunbury's share of the expenses?—That is the whole sum, and I paid half of it.

1353. To Mr. Fitzgerald?—Yes; and I have got the receipt for it.

1354. Is there a charge there for the assessor?—There is.

1355. Forty-six pounds, I see, for attending the election; for the three subsequent polling days, 30 guineas, and you paid half of that?—Yes, I did.

1356. And I see other charges; half of the deputies?—Yes.

1357. Of which you also paid half?—I did.

1358. Were you ever consulted with respect to the appointment of the assessor or the deputies?—Yes; as to the deputies, there was a conversation with Mr. Keogh respecting them. We objected to some of the gentlemen named.

1359. What

1359. What gentlemen had been named?—There was a Mr Wynne named, who afterwards, the sheriff told us, could not qualify, and then Mr. Lawler and Mr. Reid stood; we set down Mr. Reid as a party favourable to Mr. Bunbury; and the other was Mr. Lawler, who was on the other side.

1360. Well, what happened then?—Then we claimed a right of turnabout, and choosing the other man; and he spoke a good deal about it, and said that he would make up his mind upon the subject, and accordingly he appointed Mr. Casey and Mr. Coffey.

1361. Do you know the persons who were appointed as deputies personally?—I do.

1362. Now, I have asked you as to your knowledge about persons who have formerly filled that station; were those persons filling the same station in life as those who formerly served the office?—No, they were not so respectable, I should say.

1363. In your opinion, were they so proper?—I do not think they were the same persons of intelligence or education.

1364. Or upon whom you could place the same reliance?—Their partisanship might lead them perhaps to be carried away.

1365. Do you know Mr. French?—Yes, I do; I have seen him often; I am not personally acquainted with him.

1366. Was he seen at the election in Carlow?—Yes.

1367. Did he take an active part in that election?—He did, very.

1368. In what capacity did Mr. French act in that election?—Whenever I saw him—I principally confined myself to the booth to which I belonged, and therefore I cannot speak much to it—whenever I did see him, I saw him advocating and pressing forward every thing for Mr. Vigors.

1369. Was he interfering in the election upon that side?—He was.

1370. Is he a solicitor?—He is, and I believe secretary to the Catholic Association, or some association.

1371. The General Association?—I do not know what the name of it is, whether Catholic or General Association; I think it is the Justice-rent Association.

1372. Mr. *Maule.*] The parliament in Dublin?—Yes.

1373. He is secretary to that association?—He is.

1374. Mr. *Austin.*] Were there any other persons present at that election from Dublin?—Oh, there were a good many.

1375. Inhabitants of Carlow?—No, they were Dublin men, and, as we considered them at the time, and I believe I have no reason to change my opinion, all members of that association.

1376. Now, was it known in Carlow at the time the election took place, or believed in Carlow, that Mr. Walsh was a member of that association?—Yes; there were Mr. Walsh, Mr. Tighe, Mr. French, and Mr. Collus; he was a young barrister. There was a large bar from the association down.

1377. How many barristers were there on the behalf of Mr. Bunbury?—No one but Mr. Hayes.

1378. There was a large bar, you say, from the association on behalf of the other candidate, is that so?—Yes.

1379. When did the poll close—upon what day of the election?—There were four days' polling, I think.

1380. Do you remember the man who had been struck off by order of the House of Commons coming up to poll at the election?—In my particular booth?

1381. Yes?—I do.

1382. Did you serve them with notices?—I did serve them with some written objections, and I was also serving them with a cautionary notice, which I was prevented from doing by Mr. Walsh, but I did serve one or two of them.

1383. What was the nature of the cautionary notice?—Merely informing so-and-so that his name was struck off by a Committee of the House of Commons, and cautioning them from voting at the elections, not being qualified.

1384. But did you serve any of these notices at all?—I did one, and I think two; and Mr. Walsh came down and said he would commit me if I persisted in serving them. I said, that I had served one or two, and therefore I should consider it was tantamount to serving all the others.

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1385. Upon what day did these warrant men chiefly poll, do you recollect?—I think it was chiefly on the third day. I noted it in my book.

1386. How many were there from Rathvilly, do you know?—Fifteen, as well as I remember.

1387. Did you object to them?—Yes.

1388. Did you object in writing?—Yes, I sent up what we call objection slips to the deputy sheriff.

1389. And they were sent to the assessor's room?—No; he put them on a file, and said he would not take any notice of them.

1390. *Committee.*] You said Mr. Casey was not a partisan?—Indeed, I have never considered him so myself.

Cross-examined by Mr. *Maule.*

1391. You remember former elections at Carlow?—I do.

1392. Did the sheriff, upon those occasions, appoint his own deputies?—Yes.

1393. Those whom in his discretion he thought fit?—Yes.

1394. Did he appoint his own assessor?—He did; he consulted the parties as to the assessor generally, and when he found they did not agree upon one, he chose one himself.

1395. And when they did not agree, he appointed one himself; do you mean that he did that sometimes, or did he do it in this instance, upon his own responsibility?—No, your question had reference to antecedent sheriffs generally, and I answer generally.

1396. Do you mean to say it is an invariable practice for the sheriff to appoint his assessor without consulting the parties?—I do not; this was an exception.

1397. In the election of 1835, was Mr. Vigors consulted about the choice of assessor; how is your recollection on that point?—I always understood so. You will be good enough to recollect this, that I was in no way concerned as conducting agent until the last election; therefore any thing I give in evidence, as to what has occurred previous to the last election, is only from report.

1398. And you know nothing of it to your own knowledge?—Nothing personally.

1399. I suppose you are not aware of Mr. Vigors objecting strenuously to the assessor in 1835?—I cannot say.

1400. The last election, I understood you to say, was the only one you know of personally?—This is the only one.

1401. The deputy of a poll-booth must be a person holding a 50 *l.* freehold, must he not?—Yes, he must have a 50 *l.* freehold.

1402. And those gentlemen who were appointed to fill that office were all qualified?—I suppose so; they swore themselves so, I believe.

1403. Mr. Coffey is a gentleman who does not meddle in any respect with politics?—I never considered he did.

1404. Mr. Reid, you say, is a good strong Bunbury man?—I do not think I said those words; he voted on that side.

1405. A good steady voter for Mr. Bunbury?—He always votes on that side.

1406. And Mr. Lawler votes on the other side?—Always.

1407. There are, I hope, in Carlow, good and respectable men on both sides of the question?—I should hope so.

1408. Men of good character?—I should be very sorry to say otherwise.

1409. You were in Mr. Lawler's booth?—Yes.

1410. And he is a strong partisan of Mr. Vigors, is he not?—Yes, I considered him a partisan.

1411. Did not he, in his character of deputy sheriff, you being present in his booth, and having every opportunity of observing his conduct, act with the greatest propriety during the whole election?—He did.

1412. I believe you expressed your sense of that to him at the end of the election?—It is very likely.

1413. You express it now to the Committee that he acted with propriety?—I cannot say any thing against it; I have nothing to say about what occurred at other booths, as I was only at one.

1414. I do not ask you to tell me any thing you do not know; Mr. Fitzgerald, you say, was secretary to the Liberal Club?—Yes.

1415. You are not a member of that club, I take for granted?—No.

1416. Is there another liberal club opposed to that liberal club?—No club that I am aware of; that is a news-room, and also a liberal club; that is a political club on Reform principles or liberal principles.

1417. There are persons who, being men of liberal principles, or persons of decent character, members of it, setting principles aside?—Yes, all their party belong to it.

1418. Men of good character, as men of liberal principles can be, are there not there?—As any in the county, but that is all.

1419. I am not asking you to swear that they are good men generally, but only admiring their principles; have you no Tory, or whatever else you call it; have you no Conservative Club?—No, none.

1420. No Conservative Association?—No.

1421. No Friendly Brothers, no Christians; is there no sort of association in Carlow, no Friendly Brothers, or Orange or Purple?—Yes, but they are not for political purposes.

1422. This is a liberal news-room; is there no news-room in the other interest; how do you manage for your "Standard" and "John Bull?"—There is another, but it is not confined to party.

1423. In fact, a good many of the right sort of Conservatives being there?—Yes, a good many of the Conservatives being there, but one possesses a class of subscribers more respectable than the other; they take in the "Chronicle" and "Times."

1424. Mr. *Austin.*] The "Morning Chronicle?"—Yes; I saw Mr. Leeson, the captain of our police, a Roman Catholic gentleman; he is a member of it.

1425. Mr. *Maule.*] He is a sort of rare bird there. I thought you were all Christians; but, however, with regard to Mr. Fitzgerald, you tell me he is the secretary of the Liberal Club, and you say he was formerly a pawnbroker?—Yes, so I always understood.

1426. Did you know him when he was carrying on that business?—I think I have seen him.

1427. He is now a man living on his property, is he not, as far as you know?—He must have property, of course; I mean, whatever he spends, I suppose, is his own.

1428. That is a very good supposition; he is a man who lives now in a particularly respectable station?—Yes, I suppose he has a salary attached to his secretaryship.

1429. A liberal salary, perhaps?—A liberal salary, I suppose.

1430. The former sheriffs, you say, appointed their own deputies on former occasions?—Yes, they did.

1431. And when there was a Tory sheriff, had not he a Tory deputy?—They were persons in that interest; I never knew one of them to have been brought up on a charge of incorrectness before the assessor.

1432. You never knew any of them brought up before the assessor; I am speaking of the reign of the Tory sheriffs; you never knew they had deputies there of one way of thinking, and never brought up before the assessor of those sheriffs; now, do you remember, in 1835, one Samuel Horton being a deputy?—I do.

1433. Now, to borrow an expression from Mr. Hayes, was not he pulled up before the House of Commons for his conduct?—I do not know any thing of it; I almost think it is the first time I ever heard of it.

1434. You introduced that yourself, that no complaint was ever made before the assessor; do not you know that Mr. Horton was charged with gross partiality?—I do not know it, I am sure he is incapable of it.

1435. Whether he was pulled up before a Committee of the House of Commons you do not know?—I do not.

1436. Do not you know, Mr. Elliott, in the year 1835, the election was set aside on account of the delays occasioned by the deputy sheriff?—No.

1437. Whether from delays or otherwise?—It was, as I understood—

Mr. *Thesiger* objected to the question being answered.

1438. Now, Mr. Keogh was sworn into office very shortly before the election?—Yes, a few days only; the writ had been received by the former sheriff, Mr. Butler.

1439. He went out of office and Mr. Keogh came in, after the writ had been issued, and, of course, made his arrangements hastily?—Yes.

 1440. Was

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1440. Was Mr. Keogh acquainted with the county, or had he been abroad a good deal?—He had been a good deal abroad.

1441. For the last 10 or 12 years, I believe?—Yes.

1442. Before Mr. Keogh's time, before he became the sheriff, you had not what you call a liberal sheriff for some years?—Yes, there were liberal sheriffs.

1443. I mean, gentlemen of that party, the same as the Liberal Club?—No, not of that party.

1444. They were of the opposite party?—Yes.

1445. Mr. Keogh was the first liberal sheriff there had been there for a good while, was he not—in the sense I mean, liberal in politics?—Yes, in that sense.

1446. I mean, liberal in politics?—Yes.

1447-8. And Mr. Fitzgerald you were referred to as a person understanding the localities?—Yes, by the sheriff.

1449. Understanding the localities?—Yes, of the court-house.

1450. Which Mr. Keogh, the principal sheriff, did not understand; is that so?—Mr. Keogh was not so well acquainted with the localities.

1451. Mr. Keogh was obliged to go at a short warning, and it was therefore necessary for him to get some one who could act competently for him as his sub-sheriff; is not that so?—I understand he could have had the same gentleman he now has; but it was thought convenient to let him have the advantage of the money I paid.

1452. It was necessary for him at a short warning to get some one to act at the election?—He was there in the office long enough for that.

1453. How long?—A week after the issuing of the writ.

1454. Do you not know that Mr. Keogh took a good deal of trouble to get a person who was properly competent?—I understand he did, but not to give any thing in the way of payment, and, therefore, he was making his bargain with whom he could.

1455. He wanted not to give any payment himself, but to do it upon the footing we do in England?—Perhaps the principal reason of that difficulty was in consequence of his allowing the emoluments of the election to go to Mr. Fitzgerald, taking so much from the office.

1456. You found that Mr. Fitzgerald, in fact, did understand the localities?—He could not but have known them.

1457. And you made satisfactory arrangements with him?—We made arrangements.

1458. Which were satisfactory, were they not?—No; I do not think they were satisfactory.

1459. Did you object?—We did.

1460. Now, what was your objection?—The sheriff retained for himself two rooms, which he said were for qualifying the Roman Catholic voters; these two rooms, he gave us a promise, should be kept for that purpose, and not given up to Mr. Vigors' interest; well, we had not commenced more than a few hours before they were opened to Mr. Vigors' friends only; that was the principal passage to the two court-houses.

1461. Was that an arrangement that took place after you had arranged with Mr. Fitzgerald?—We first of all arranged the booths.

1462. And that arrangement was made with Mr. Fitzgerald?—Yes; each party took a side as an entrance to the booth.

1463. Was that arrangement made by agreement between yourselves?—I believe the assessor tossed, or Mr. Sheriff; I do not know now which it was.

1464. Did they toss fair?—Yes.

1465. There was no unfairness in that; you did not complain of any unfairness in the toss; did you win the toss?—We did; but we did not get what we asked for.

1466. What was it you tossed for, choice of side?—Choice of entrance to the booth or tally-room, as we call it.

1467. And though you won the toss, they got the choice, is that so?—No; the sheriff took it, and he said he would keep it exclusively for himself; and after the first few hours we found it in possession of the opposite party.

1468. Did you make a complaint about that?—We spoke about it, but it was of no use.

1469. You did not think it was a matter worth having?—If we thought speaking would have got it, we would have spoken well.

1470. Did

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1470. Did not you get the grand jury-room for your men?—The grand jury-room was the polling-booth or court.

1471. Is not there a room off the grand jury-room?—There is.

1472. What was done with that room?—We had that as a tally-room.

1473. Was not the choice for the tally-room?—Yes.

1474. Did you choose that room?—Yes, we did; but why? because the sheriff took the one we would have taken otherwise, which he afterwards gave up to Mr. Vigors.

1475. As a tally-room for him?—Yes; and he promised he would not give it up; that he would keep it all through to himself.

1476. Was that the only tally-room Mr. Vigors had?—No.

1477. How many had you?—One to each booth.

1478. Each party had one tally-room to each booth?—Yes.

1479. Now you say you tossed up upon this occasion, when Mr. Keogh was sheriff, for choice of tally-rooms, and you won the toss, and got the one you chose; is that so?—We got *a* tally-room, but not *the* tally-room.

1480. In the good old times, before Mr. Keogh's time, in the time of former sheriffs, did they fall short in their number of tally-rooms?—I know nothing whatever about that.

[*The Witness withdrew.*]

Mr. *Joseph M. Read* sworn.

Examined by Mr. *Austin.*

Mr. *J. M. Read.*

1481. WERE you one of the deputies in the poll-booth of the last election for the county of Carlow for Idrone East?—I am not quite positive with respect to the barony, but I was one of the deputies; I think it was Idrone West and Forth.

1482. Do you remember persons tendering themselves to be polled who had been struck off by order of the warrant of The Speaker?—I do.

1483. Were objections made to them?—There were objections made to them.

1484. Were they sent to the assessor?—They were.

1485. Were you present at any time when the assessor adjudicated upon any of them?—I was.

1486. Was any observation made to the assessor at the time of the adjudication about the identity oath; do you know what it is?—Perfectly.

1487. Were any observations made about that oath of identity?—I made an observation.

1488. What observation did you make to him about that oath?—I made an observation to him, that I found it rather a difficult matter to mention, or to give the man his oath, alluding to a certain document, which document was not forthcoming; but the oath will be this: "I do swear that I am the same whose name appears upon this book or affidavit;" and I thought it singular, unless I produced one or the other, that the man would think it so ridiculous that I should tender him the oath without having the one or the other.

1489. "I swear that I am the same person as appears upon this paper now produced;" he may write down "as such registered voter or voters?"—I thought it nonsensical.

1490. And you made that objection to the assessor?—I did.

1491. Was it after he had determined to allow those votes?—I am not quite positive about that.

1492. It was rather then during the discussion?—It was rather during the time.

1493. Do you recollect the name of the voter that was under discussion at that time?—I made a memorandum of the name of that voter.

1494. Look at that memorandum and state what it was?—Patrick Curran's case was being decided upon at that time.

1495. Whose case was then before him; Patrick Curran was one of those men, was not he?—Yes.

1496. Who else?—I think it was John Coady, of Feemore.

1497. What observation did you make with respect to the oath?—I told him I could not administer the oath, and that there was a difficulty in so doing; but he told me that I should have administered the oath without having mentioned

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certificate or affidavit; I said, if I did so, I should subject myself to their just reprehension; and I said, you would think me a blockhead, or words to that effect.

1498. Did he make any further observation to you?—He said, "I am not to sit here to discuss points of law with you; you will go to your booth and do your duty."

1499. Did he give you any further directions about the oath?—He said, "Go down and administer without the words certificate or affidavit."

1500. To what class of voters was he alluding, when he told you that the oath should be administered, omitting those words?—To those men who were not allowed to produce their certificates or affidavits.

1501. You say he told you to omit the words "certificate or affidavit;" did he suggest any other words instead?—I do not recollect that he did; I do not remember his telling me to do so.

1502. What oath was administered to them upon polling?—"I, A. B., do swear that I am the same whose name appears in the clerk of the peace's book now produced," or words to that effect; there was some large book by him: "I swear that I am the same whose name appears in the clerk of the peace's book now produced; that my qualification still continues, and that I have not voted before at this election."

1503. And were they so sworn?—They were.

1504. You say the clerk of the peace's book; was it a book of that large description?—Yes; there was one for each barony; they were handed to me from the deputy clerk of the peace.

1505. Did you observe the mode in which they were sworn?—I did; I had been deputy some time before, and I knew the booths right well.

1506. Did you observe that the entry upon which they were sworn was obliterated?—It was obliterated; it was expunged.

1507. Was there any memorandum written against the entry?—I think it was erased or expunged by order of the House of Commons.

1508. Struck out?—Struck out; that was the word.

1509. It was upon the production of that document, and the administering the oath you have described, that those persons were admitted to poll?—They were admitted to take the identity oath and substitute another oath, and then they polled.

1510. What was the other oath?—Relative to taking a bribe.

1511. And then they polled?—Yes.

Cross-examined by Mr. *Maule*.

1512. You say the men were not allowed to produce their certificates or affidavits?—I said so.

1513. How do you mean; that they were not allowed to produce their certificates or affidavits?—When the country people were feeling in their pockets, there was a cry got up directly among them, saying, "Keep it quiet, keep it quiet."

1514. Those people saying keep it quiet; do not you know that the clerk of the peace was called upon to produce the old, and refused to do so?—There were affidavits produced, but whether they were old or new, it was not my business to examine, unless they were handed up to me, as president of that court, for my inspection.

1515. Independently of your being the president of that court, and without confining you to your judicial knowledge, do not you know that the clerk of the peace has been called upon to produce the affidavits, in respect of which they were to be registered in 1832, but refused to do so?—The clerk of the peace?

1516. Yes?—I am not aware that he refused to do any such thing.

1517. Or declined?—I do not think he did; I am sure he did not; I am sure he produced every document when called upon to do so.

1518. Do you know Mr. Elliott?—Perfectly well,

1519. And Mr. Hayes?—I have seen him, I know.

1520. Do you know whether the clerk of the peace had declined to produce those documents?—I never heard that he did; I think the clerk of the peace would be above such a thing; and more particularly, he is my nephew, and I am quite

quite sensible that he would not do any such thing, and would not secrete any document that was necessary for the public administration of justice.

1521. Were not the old affidavits of 1832—this man being struck off by order of the House of Commons; you are aware of that?—Yes.

1522. Those men had registered in 1832; are you aware of that?—I have no knowledge of that.

1523. Are you not aware that the affidavits of 1832 were looked for and sought for?—Upon my word I never heard it, and know nothing about it.

1524. That did not come within your knowledge?—That was an affair between the agent, the assessor and the clerk of the peace.

1525. Do you remember one Michael Kealy coming up to vote in your barony?—It would be impossible for me to recollect the name of every voter.

1526. He is Michael Kealy of Augheroghoo?—I am a stranger in Carlow myself, although I am an Irishman; for I have been many years abroad, and have only lately returned.

1527. Are you sufficiently acquainted with the dialect to pronounce this most unpronounceable word?—It is Augheroghoo.

1528. He came up and voted for Mr. Vigors, did not he?—Faith, I do not know who he voted for.

1529. This is your poll-book?—Yes.

1530. He voted for Vigors?—It appears by that book he did.

1531. And there was an objection, was there not, by Mr. Bunbury's agent, that his certificate was dated 19th October 1836?—Yes.

1532. And he was disallowed and struck off, was not that so?—He was; it appears by that book he was struck off.

1533. That book is a convincing proof that there must have been an objection gone up to the assessor, that objection allowed, and the voter struck off?—Yes, precisely.

1534. Was not he a man who produced the register of 1836, and afterwards desired to go back upon his affidavit of 1832?—I am not acquainted with the particulars, only that the man's name went up and came down rejected.

1535. And this voter had been disfranchised by order of the House of Commons; and further, that the affidavit of the voter was within six months?—Yes.

Re-examined by Mr. *Austin*.

1536. That was sent up [*referring to affidavits*] upon Michael Kealy tendering himself to vote?—It was.

1537. The voter has been disfranchised by order of the House of Commons; and further, that the affidavit was within six months?—Yes.

1538. And the vote was disallowed?—Yes.

1539. That was on the second day?—Yes, it was.

1540. You stated that other voters came up who polled upon the register?—The other voters of that description; they then, as I said before, were unwilling to produce their certificates or affidavits.

1541. And they would not produce their certificates or affidavits?—They would, if let.

1542. But they did not?—No.

1543. They were polled from the registry?—From the clerk of the peace's book.

1544. Upon the third day?—A good deal of that polling went on, on that day.

1545. And the same upon the fourth?—I think a few upon the fourth; they began to run out a little towards the last.

1546. Was there any other person besides those men who voted upon the registry-book and not upon the affidavit?—When a man tendered his vote, if he did not do so from his certificate he looked for the affidavit, and if that was not forthcoming, we had reference to the clerk of the peace's book, and the man polled accordingly.

1547. And in many of those cases were the dates of registry previous to the year 1835?—If they were not polled within the prescribed time, they would not admit them.

1548. In many of those cases where the voters were allowed to poll from the registry-book, was the date of the registry 1835?—I do not understand the question;

Mr. *J. M. Read.*

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question; yet Mr. Maule stated, that it might be taken as admitted and examined by the Committee.

1548*. You say you have been often before a deputy?—Yes.

1549. What times were those?—The year previous to this election; a year and a few months; eight or nine months between each; probably it may have been a year.

1550. In the first election that you were deputy, who were the deputy sheriffs?—The first election that I was deputy at, there was a Mr. Simon Clark and Samuel Horton too, and Mr. Feltis, and I was the fourth.

1551. And who were they at the second election?—I think, then, Mr. Horton would not be pestered with it; then there was some other gentleman appointed to it, but I do not recollect his name.

1552. Do you know those gentlemen personally?—Yes, I do.

1553. Take Mr. Simon Clark first; what were his politics?—One of the right sort.

1554. Was Mr. Horton one of the right sort, as you call it?—Yes.

1555. And Mr. Feltis, was he of the right or wrong sort?—He was one of the right sort too, I believe.

1556. Do you know whether they were what are called Orangemen?—I do not know.

1557. With regard to Simon Clark, he was upon the second election as deputy, was not he?—Yes.

1558. And Mr. Feltis?—Yes.

1559. You do not remember the fourth?—No.

1560. Do you know whether he was of the right or wrong sort?—If I heard his name, I could tell.

1561. Mr. *Maule.*] Was it James Smith?—No.

1562. *Committee.*] Do you remember the assessor at the former election?—Yes.

1563. Who was he?—The first man was Mr. Toombe; I remember him perfectly well.

1564. Do you remember the second?—I think the second was Mr. Hatchell.

1565. Do you know any thing of their politics?—I could not well judge, I am rather a stranger in Ireland altogether; although I am a native of the country, I have been 20 years in a foreign land.

1566. Who were the sheriffs in those two years?—The first one was Mr. John Watson, of B——.

1567. Was he one of the right sort?—I think he was.

1568. And who was the sub-sheriff?—The sub-sheriff was Mr. Henry Butler.

1569. Was he of the right sort?—I think he dealt fairly between both parties, but I do not think he is of the right sort.

1570. He was not one of the right sort?—He was a very good man, and a very good fellow.

1571. What do you mean by calling these people the right sort?—I mean a man who considers the institutions of his country the most material part of his catechism.

1572. Does being of the right sort mean that he is an Orangeman?—No.

1573. Is this the first election that there was any of the wrong sort; it is a plain question, therefore you will give it a plain answer?—Will you be good enough to repeat the question?

1574. Before this last election were there any of the wrong sort?—There have been a great many elections before my time. This is the first within my time; there have been many who I denominate of the right sort.

1575. Are you aware of any of the gentlemen that you have named belonging to any particular liberal club?—I do not think they do; and I think Mr. Toombe was a very proper man, and Mr. Hatchell too.

1576. Mr. *Maule.*] Is Mr. Toombe a nephew of Chief Baron Joy?—

Mr. *Thesiger* objected to Mr. Maule asking the question.

Mr.

Mr. *Thomas Crawford Butler* sworn.

Examined by Mr. *Austin*.

Mr. *T. C. Butler*.

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1577. WERE you the agent for Mr. Bunbury at the last election?—Yes, I was.

1578. In the Idrone West barony?—I was.

1579. Do you recollect one William Brennan and John Coady coming up to poll?—I do.

1580. And other voters of that description?—Yes.

1581. Do you remember Mr. Read putting the identity oath to them?—Yes.

1582. In consequence of what circumstance?—In consequence of the circumstance of the persons polling having no certificate or affidavit.

1583. In consequence of what, do you say—because they had no certificate or affidavit?—Yes, because they had no certificate or affidavit; that was what gave rise to it first.

1584. Now, did you observe in what form the oath was put to them?—In one of those cases the person swore, "I am A. B., the same person who appears in this erased entry" (or, obliterated entry, I think was the word) "in the clerk of the peace's book."

1585. "And that is my qualification?"—"And that my qualification, as therein expressed, still continues." It is the usual identity oath.

1586. Only altering it as circumstances required?—Saying obliterated entry, "as appears upon the obliterated entry."

1587. And they admitted the vote upon the oath so administered?—Yes.

1588. Objections were taken and sent up to the assessor?—Yes, it was upon the first objection being taken that we all went up to the assessor's room, where it was argued.

1589. Do you recollect Michael Kealy coming up to vote?—Yes.

1590. Do you remember what day he came up to vote; was it the second day?—I think it was.

1591. On the second day of the election; not the first day's polling?—I think it was the second day.

1592. Did you send up an objection to him?—I did.

1593. Look at this; is this the objection sent up? [*handing it to Witness.*]—That was it.

1594. Was it allowed or disallowed?—Allowed.

1595. His vote, I mean; was it allowed or disallowed?—Disallowed, I believe.

1596. The objection was allowed and the vote disallowed?—Yes.

1597. Do you recollect Dennis Whelan and John Mooney tendering themselves to vote for Mr. Vigors?—Yes.

1598. Monday, was not it?—Yes, on the third day, Dennis Whelan.

1599. And that is on the third day also?—On the third day.

1600. Upon what affidavit, if any, did they seek to be polled?—From affidavit dated 13th October 1836.

1601. Both of them?—Yes.

1602. Was that after Michael Kealy had been disallowed on the re-registry of 1836?—Yes.

1603. Did you object to Whelan and Mooney polling upon such an affidavit?—I did.

1604. What was the decision of the assessor upon that subject?—They were allowed; the votes were allowed.

1605. In what way were they allowed to poll?—As I first mentioned, by taking the affidavit; the identity oath mentioning that I am the same so-and-so upon the certificate, only altering it by saying, "I am the same that appears upon the obliterated entry."

1606. Were they allowed to withdraw from the affidavit, and poll upon the registry?—Yes, and so ordered to be done.

1607. That was after Hugh Nowlan's vote had been decided upon, or was it before; do you know whether it was after or before?—No.

1608. You cannot speak to that?—No.

Cross-examined by Mr. *Maule.*

Mr. *T. C. Butler.*

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1609. WHEN was it Mooney polled?—I think John Mooney polled on the third day.

1610. You were the agent for Mr. Bunbury in the Idrone West booth?—I was.

1611. You say that Mooney and Whelan polled on the old registry of 1832?—No; John Mooney polled from his affidavit, dated the 19th October 1836, on the third day.

1612. Are you sure of that?—Yes; John Mooney, of Macduff.

1613. And Whelan did the same thing, I think you say?—He polled on the same day, polling from the erased entry of the clerk of the peace's book, although he appeared to be registered in 1836.

1614. He also appeared to be registered in 1836?—He produced the affidavit, and he was just polling.

1615. And then withdrew that?—No; he polled; my objection was, he polled upon it. In point of fact, he polled twice; he first polled upon the affidavit and the erased entry.

1616. By polling, you mean to swear that his name was taken down?—Only once.

1617. And it was taken down as polling upon the certificate of 1836?—Upon the affidavit.

1618. Taken down in the poll-book?—I do not know how it was taken down.

1619. What you have there is a memorandum-book of your own?—It is my own check-book.

1620. That is a private book you alone had access to?—Yes.

1621. Kept for the use of your employer?—Yes.

1622. For your private information?—Yes.

1623. What you put down was your own construction of what took place?—It was the fact. I put no constructions, but merely the facts.

1624. Just read what you took down?—"Objection being disfranchised, also not producing his certificate, and no affidavit being filed, and polling from an erased entry in the clerk of the peace's book in 1832, though he appeared to be re-registered in 1836. Too late."

1625. That is the statement you wrote down?—Yes.

1626. Was that the objection [*handing paper*] that you took?—Yes.

1627. Did you object verbally?—Yes, I did.

1628. Did you not object in this form, that "Voter being disfranchised by order of the Committee of the House of Commons, and further, that no certificate from which voter could be polled was produced, and further polling from an entry in the clerk of the peace's book, although some being erased, and consequently the oath of identity could not have been properly taken by voter, as no document was produced, and further voter's names appearing in the same book as having been re-registered in October 1836, and consequently too late." That was the objection that you took, was not it?—I think that is in substance the same as my own private memorandum.

1629. That statement went up to the assessor, and you took the proper steps to have it argued before the assessor?—I gave it to the deputy sheriff, who sent them up; but, after two or three cases were decided, he did not send up any more.

1630. This was argued upon principle?—Yes.

1631. Argued upon by both sides, and decided upon by the assessor?—Yes.

1632. Did you take no objection but fair and proper objections, in your own judgment; how is that; or did you take any frivolous or vexatious objections?—I do not know that I did; there may be one that may be considered so.

1633. Was that the objection in which you saw no reason to doubt its correctness, and he was a damned fool for giving it?—I did not say damned, but a great fool; I should be very sorry to damn any body.

1634. Did you take an objection that the man was a great fool for giving his vote?—Yes.

1635. That was rather a frivolous and vexatious objection, was not it?—I do not think it is.

1636. Frivolous,

1636. Frivolous, at any rate?—No.

1637. Are you an attorney?—I am.

1638. You being an attorney, do you mean to say that you considered yourself as not taking a frivolous objection upon such a ground as that?—Let me see the book. [*The book was handed to the Witness.*]

1639. Did you not take such an objection?—I recollect taking the objection.

1640. Verbally, in the assessor's room?—No, I wrote it down.

1641. Did you send it up to the assessor to be argued?—No.

1642. Did you give it to the deputy sheriff?—No, nor did I intend it to be seen; it was found two days after the election, near the place where I sat.

1643. Did you consider that as a serious objection?—If I had sent it up in a serious manner, I should consider you said it was perfectly right in saying it was frivolous.

1644. Were you not called to order and reproved by the assessor for sending up to him frivolous objections?—No, not for that one.

1645. Was there any objection to a clergyman of the county that he was *non compos mentis*?—Yes.

1646. A gentleman who serves the cure of the parish adjoining?—Yes.

1647. A Protestant clergyman?—Yes, and a very long and intimate friend of my own.

1648. And you sent up an objection that he was *non compos mentis*?—Yes, and I was ready to prove it, if the assessor would have consulted with me.

1649. This is a gentleman who serves the office of curate in the parish, and you associated with him?—Do not misunderstand me; the gentleman had been so before, and that was my reason for mentioning it; he had been several months confined with a strait waistcoat.

1650. How long ago?—Four or five years ago.

1651. Confined in some strait waistcoat for the brain fever or insanity?—It was not a brain fever, but insanity.

1652. Since that time he has been serving his cure in the neighbouring parish?—Yes.

1653. And is a connexion of your own?—Yes.

1654. Was he at the time at large, serving his cure, and moving in society?—He was.

1655. And you were ready then to prove, upon your oath, that he was insane at the time of the election?—Yes.

1656. And you mean to say, that you were ready to prove, four or five years ago, that he was confined for some few months?—Yes.

1657. He being of sound mind at the election?—I do not know.

1658. Do you know any thing to the contrary?—Only from his curious writings.

1659. Were those writings in favour of Mr. Vigors; are those the curious writings?—The first letter that he wrote upon this subject appeared before his voting, and is a very extraordinary production, and, knowing his fatuity, I thought that his malady had returned.

1660. And you were ready to go before the assessor and swear to the case you have described to the Committee?—I have nothing to say to it.

1661. Did you consider that as a serious objection?—I did, and I did at the time.

Re-examined by Mr. *Austin*.

1662. You say your suspicions had been roused in consequence of what you formerly knew?—Yes.

Mr. *Maule* stated he had said no such thing, as his suspicions being roused.

1663. Well, you had been formerly acquainted with the malady of this gentleman?—Yes.

1664. Do I understand you to say that you had noticed some things which had been promulgated by this gentleman previous to the election?—Yes.

1665. Did they arouse a suspicion in your mind?—A very strong one.

1666. Were they, in your opinion, of a nature to justify those suspicions?—I thought so.

 1667. And

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1667. And it was upon that impression, produced upon your mind from them, that you made that objection?—Yes.

1668. You have been asked as to whether you did not object to some voter or other, that he was a fool for voting in the way he had; what do I understand you to say about that, was it a joke?—It was a complete joke, and I showed it to my opponent at the time, and said, "Look at that objection."

1669. You showed it to your opponent in that form?—Indeed, I did.

1670. As a joke, and then you threw it away?—Yes, and my opponent wrote a good many curious objections too.

1671. And those objections, as soon as they had served their purpose of raising a laugh, were thrown away?—Yes.

1672. And some one did you the favour of picking it up the next day?—Yes.

1673. And the whole affair was a joke?—Completely so.

1674. *Committee.*] That paper never went before the assessor as an objection?—No.

1675. Not the one about the fool?—No.

Mr. *Henry Malcomson* sworn.

Examined by Mr. *Austin*.

Mr. *H. Malcomson.*

1676. DO you live at Carlow?—I do.

1677. Do you remember the last election?—Yes, I do.

1678. Do you remember Mr. Keogh, the sheriff, being there?—Yes.

1679. And Mr. Walsh, the assessor?—Yes; I remember both of them.

1680. Do you remember the termination of the election and the parties leaving the town?—I do.

1681. Did you happen to see Mr. Walsh leave the town?—I did, the day after.

1682. In what way did he leave the town?—He left it in his carriage and horses decorated with laurel—both carriage and horses.

1683. Whose carriage was it?—It was a private carriage; an open carriage.

1684. You saw him leave the town in that triumphal state—an ovation?—Yes.

1685. And that was the day after the election?—Sunday morning, about eleven o'clock.

1686. Were any people about?—Yes, there were; the streets are generally filled at that time; there were persons about; the streets were partly filled at that time.

1687. And what was the time of the day; was it at the time the sheriff was leaving his lodgings?—Yes; at the time the sheriff was leaving his lodgings.

1688. And what o'clock was it?—About eleven o'clock in the day.

1689. On a Sunday morning?—Yes.

1690. Did it attract your attention, the fact of the decoration of the carriage and horses?—Particularly so.

1691. And other persons too?—I presume it did; but it attracted my attention particularly.

Cross-examined by Mr. *Maule*.

1692. You say there was a carriage decorated with laurel?—Yes.

1693. How many gentlemen were there in it?—None but the sheriff's assessor, Mr. Walsh.

1694. No one else?—None that I saw.

1695. None that you saw?—No; nor do I think there was.

1696. Do not you know that that carriage, on your oath, belonged to Mr. Collus?—Upon my oath, I do not believe it; it is not like the carriage I have seen Mr. Collus driving in.

1697. I am speaking of the brother of the sub-sheriff; do not you know there was a Mr. Collus, a friend of Mr. Vigors, who came from Dublin?—I do not know that.

1698. You saw this at the lodgings of Mr. Ryan?—Yes.

1699. Which was where Mr. Walsh lodged?—I do not know.

1700. Was he stopping there?—The carriage and horses started from that door.

1701. Was

1701. Was Mr. Walsh in it?—Yes.

1702. Any body else?—I believe not; I took particular notice of the carriage, and it struck me forcibly, as I knew he was the assessor; it struck my attention forcibly.

1703. And whether it stopped to take up any body else, of course you cannot tell?—I rather think it did not; it seemed to drive off, without stopping in my sight.

1704. Had you seen the assessor arrive?—No; I saw him come out of the lodgings.

1705. You had not seen him arrive in Carlow?—I had seen him in Carlow; I did not see him arrive there.

1706. Do you call upon us to believe that the assessor came to Carlow in a carriage of his own?—I do not want to convey any such thing.

1707. I suppose, Mr. Malcolmson, that the carriage was not Mr. Walsh's own?—I do not know; I know nothing about the owner of the carriage, or who owned the carriage; it appeared so extraordinary to me, that I mentioned the circumstance to some gentlemen immediately after, who agreed with me in thinking it was rather extraordinary that a gentleman who had presided as judge should travel off in that way with his carriage and horses decorated with laurels.

1708. I dare say you published something about it, did not you?—I do not think that I did.

1709. Are not you the editor of the Orange Sentinel?—No; I am the proprietor of the "Carlow Sentinel."

1710. Which is a newspaper of what they call the right sort?—It is conducted upon Conservative principles; fair principles, as I conceive.

Re-examined by Mr. *Austin.*

1711. Whatever the principles of that newspaper may be, you have no doubt you saw Mr. Walsh in the way you have stated?—Yes, that is so.

1712. With his carriage and horses decorated with laurels?—No; I have no doubt.

Mr. *Austin.*] Now, Sir, my friend, Mr. Thesiger, having yesterday put you in possession of the purpose for which this evidence has been called, and that purpose having been fulfilled, I now beg to inform you that I shall present before you no other witnesses upon this head of inquiry to the Committee, and shall leave the effect of it to be judged by you.

Mr. *Maule* proceeded to address the Committee upon the whole case, animadverting upon the testimony that had been last adduced.

Mr. *Austin* was heard to contend, that Mr. Maule had no right to address the Committee upon any other topic than the evidence which had been brought to-day, relative to the character, conduct and behaviour of the sheriff and his assessor.

Mr. *Maule* was heard to address the Committee in support of his right to a general reply.

The Committee-room was cleared.

The Committee deliberated.

After a few minutes, counsel and parties were again admitted, and informed that the Committee had come to the following resolution:

Chairman.] I am desired to inform you that Mr. Maule should confine himself to the case, with regard to the sheriff.

Mr. *Maule* accordingly proceeded to address the Committee in defence of the sheriff, contending, that the charges contained in the petition presented to this House with respect to their conduct at the election were frivolous and vexatious; and, considering that the sheriff had been detained in town at great personal inconvenience, and put to great expense, and his character, by the last evidence that has been called, attempted to be affected, he trusted this Committee would award all the

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expenses to be paid by the petitioners. In support of this proposition, Mr. Maule commented upon the evidence which had been brought forward to-day, contending that it did not bear out the allegations contained in the petition.

Lunæ, 8° die Maii, 1837.

MR. FRANCIS THORNHILL BARING, IN THE CHAIR.

The names of the Members were called over; all present.

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The Committee resolved to deliberate before they came to a resolution respecting the conduct of the sheriff, upon the evidence which had been brought before them on Saturday.

The Committee-room was cleared.

The Committee deliberated.

After some time, counsel and parties were again called in, and informed that the Committee had come to the following resolution:

Chairman.] The Committee have resolved, "That they do not consider there are grounds to report specially on the conduct of the sheriff, and they do not consider that the petition, so far as regards the conduct of the sheriff, to be frivolous and vexatious."

The Committee have desired me likewise to state their unanimous opinion, as there have been grave charges preferred against the sheriff, they feel themselves bound to state, they are unanimously of opinion, that the charge of criminal partiality, such as affects his character as a gentleman, has not been proved against him.

Mr. *Austin.*] Now, Sir, I apprehend the case is closed on both sides.

Mr. *Maule.*] Yes.

Mr. *Austin.*] All, then, we have now to expect is your report, which, I presume, will be drawn in the usual form.

Chairman.] Are we bound to report as a special report; is it necessary that our resolutions should state that the opposition of the sheriff is not vexatious? I believe they did not do that in the Longford Committee.

Mr. *Austin.*] I may venture to speak confidently upon this point, because, in a court of law I was concerned in a case of this sort, where it was held, that the whole of the resolutions the Committee had come to were void with respect to the sheriff, because the sheriff having appeared, there was no special report. The point having been raised, probably the Committee will be of opinion that they ought to avoid it.

Chairman.] I merely say that the opposition is not frivolous and vexatious.

Mr. *Austin.*] That is all that is necessary. I understood your question to apply, as to whether you should report about the opposition of the sheriff not being frivolous or vexatious.

Mr. *Thesiger.*] Perhaps if any thing is said about the sheriff, if the Committee should report that that part of the petition complaining of his conduct is not frivolous or vexatious, the Committee will introduce that into their report.

Mr. *Austin.*] Perhaps, Sir, you will be good enough to refer to the 9 Geo. 4, c. 22, it is the 41st section.

Chairman.] Yes, I will read it: "That every such select committee shall try the merits of the return or election, and shall determine by a majority

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majority of voices of such select committee, whether the petitioners or the sitting members, or either of them, be duly returned or elected, or whether the election be void, or whether a new writ ought to issue, which determination shall be final, &c. to all intents and purposes; and the House, on being informed thereof by the chairman of the said select committee, shall order the same to be entered in their journals, &c., and shall also report to the House whether such petition did or did not appear to them to be frivolous or vexatious; and in like manner report with respect to every party who shall have appeared before them in opposition to such petition, whether the opposition of such party did or did not appear to them to be frivolous or vexatious; and if no party shall have appeared before them in opposition to such petition, they shall then report to the House whether such election or return, or such alleged omission of a return as shall be complained of in such petition, &c., did or did not appear to them to be vexatious or corrupt." Under these words it strikes me, as the sheriff has appeared as a distinct party, it will be necessary to say in the report, that we do not or do consider his opposition to be frivolous or vexatious.

Mr. *Austin.*] Precisely so; your report will be, that Mr. Vigors is entitled to the seat; then, that the petition was not frivolous and vexatious, nor the opposition; then, also, that the petition was not frivolous against the sheriff, nor that the opposition of the sheriff was frivolous or vexatious. Then, Sir, if you will allow me, there is another remark, the name of Patrick Ryan, the insolvent vote which was struck off, stands in a different position from the names of the other voters who have been struck off.

Chairman.] We shall report that we have struck off certain names, and then I shall report something in this form, "That the Committee have likewise struck off the vote of Patrick Ryan, &c. as having polled at the said election, who, since the registration and before the election, has been disqualified, by reason of," &c. I think it right to distinguish the vote of Patrick Ryan from the other votes.

Mr. *Austin.*] Perhaps you will also judge whether he ought not to be removed from the register, by order of The Speaker's warrant.

Chairman.] If it is The Speaker's duty to do that, he will remove him from the registry; but we will not enter into that; I believe it was not done in the former Carlow case.

Mr. *Maule.*] Then I am quite sure you will not do it now.

Chairman.] In the last Carlow case I think they say, "ought not to be placed on the register." In the case of the bankrupt, there is no doubt that occurred between the registration and the polling, and that he ought not to remain; the words are, "The Committee have altered the poll taken at the said election, by striking off the following names, who ought not to vote and ought not to be placed on the registry."

Mr. *Austin.*] In that case the persons were struck off on the ground that at the time of the registration they were not in possession of the qualification, and therefore it was essential to the Committee to report they were not on the registry. We do not say Patrick Ryan ought not to be placed on the register, but that, having been placed on the register, he was subsequently disqualified, and therefore I apprehend the report should be, that, being disqualified, he ought to be in this instance removed from the registry.

Chairman.] That is a result with which we have nothing to do.

Mr. *Thesiger.*] Unless there is something in the report to show that he voted within the six months, The Speaker will have no authority to remove him from the registry.

Chairman.] We shall put it, that "having voted, and before the time of election had become disqualified." We shall state all the facts upon

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which The Speaker may exercise a jurisdiction, but we do not give any opinion as to his jurisdiction.

Mr. *Thesiger.*] Even the term "disqualified" may be ambiguous, because he may only for a time be disqualified, and the next moment may enjoy it.

Mr. *Austin.*] In the former Carlow case, the Committee resolved that "they ought not to be placed on the register;" and I think it is nearly an analogous decision, that "he ought not to remain on the register;" you cannot say he ought not to be placed on the registry.

Chairman.] The Speaker can, of course, exercise whatever authority he has; he can exercise his right, duty or authority in transmitting the warrant to the sheriff. Have you adverted to the resolution of the House?—"Where a Select Committee reports to this House the name of any voter who ought not to be placed on the poll, &c. then Mr. Speaker shall issue his directions."

Mr. *Austin.*] Will the Committee state that he was struck off on account of insolvency subsequent to the registration?

Chairman.] Yes, I think it is fair to state that; but of course I only speak my own individual opinion, as I have not yet consulted the feeling of the Committee upon it.

Mr. *Maule.*] I hope the unanimous resolution which the Committee has come to—it will be highly satisfactory to us that the whole of it should appear on your minutes.

Chairman.] Yes, we have desired the short-hand writer to take it down, and it will appear on our minutes. With regard to the point of insolvency in the case of the voter, Patrick Ryan, how would you propose us to state the disqualification?

Mr. *Austin.*] That he was disqualified from voting by reason of insolvency.

Chairman.] Perhaps I had better take the words of your own statement?

Mr. *Austin.*] "By reason of having been discharged, by force of the Insolvent Debtors' Act, after registration."

THE

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMITTEE

ON THE

CARLOW COUNTY ELECTION PETITION.

(*Mr. Arthur Trevor.*)

Ordered, by The House of Commons, *to be Printed,*
11 *May* 1837.

[*Price* 1*s.* 2*d.*]

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THE

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMITTEE

ON THE

LONGFORD COUNTY ELECTION PETITIONS.

Ordered, by The House of Commons, *to be Printed*,
17 *May* 1837.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 13° *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

UPON the Committee assembling this morning, the Chairman informed them that he had received a letter from Mr. Horsman, one of the Members of the Committee, enclosing two certificates, one from Dr. James Johnson, and the other from Dr. Wilson, stating that Mr. Horsman was so very unwell as to render it highly imprudent and dangerous for him to attend the Committee.

The Committee instructed the Chairman to report the facts to The House, and after sitting an hour adjourned.

Veneris, 14° *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Members were called over; all present.

The Petition of *Charles Fox*, Esq., against the return of Luke White, Esq., and praying that the Petitioner might be declared the Sitting Member, was read.

COUNSEL - - - { Mr. *Harrison.* / Mr. *Wrangham.* / Mr. *Whitesides.*

AGENTS - - - { Mr. *Buller.* / Mr. *Thomas Courtney.*

A Petition of *Lovell Edgeworth*, Esq. and other electors of the county of Longford, against the return of Luke White, Esq., was read.

Counsel and Agents as before.

A Petition was read from Mr. *Costelloe* and other electors of the county of Longford who voted for Luke White, Esq. at the last election, stating that he was duly elected, and as it was not the intention of Luke White, Esq. to defend his return, praying that they might be permitted to do so.

COUNSEL - - - { Mr. *Thesiger.* / Mr. *Austin.* / Mr. *Robinson.*

AGENTS - - - { Messrs. *Farrars & Co.* / Mr. *Christopher Reynolds.*

Mr. *Harrison* opened the case on the part of the Petitioners against the return.

John Verschoyle Crawford, Esq., sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger.*

Mr. *Wrangham* proposed to put in the Poll-books, and Mr. Thesiger stated he should not raise any objection to their admissibility.

The three Poll-books were then put in.

Mr. *Wrangham* proposed to strike off the poll the vote of Henry Lynch, being one of the two votes comprised in the first class, which contains the names of persons whose votes had been adjudicated upon, &c.

Mr. *Thesiger* took a preliminary objection to going into the question upon these two votes at all, on the ground that there was no valid objection stated to these votes in the heading of the class.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Thesiger* replied.

The committee-room was cleared; but Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the notice given in Class No. 1 is sufficient to enable the parties to proceed to the further examination of Henry Lynch's vote."

Mr. *J. V. Crawford*, re-called; Examined by Mr. *Wrangham.*

The Speaker's Warrant, dated 11 June 1833, was put in and read.

The examination was resumed.

Mr. *Wrangham* said, that if the absence of the name from the register was not admitted, he must request the witness to look over the register.

Mr

Mr. *Thesiger* did not admit that The Speaker's Warrant authorized the striking out of the name of Henry Lynch, of the barony of Granard; it gave merely the name of Henry Lynch.

Mr. *Wrangham* replied, and resumed the examination.

Mr. *Thesiger* objected to the witness referring to documents in his possession, which were not produced before the Committee.

Examination resumed.

Mr. *Wrangham* produced the Poll-book, to show that Henry Lynch, of the barony of Granard, voted at this election for Mr. Luke White.

The Poll-book was put in.

Mr. *Thesiger* thought the case was complete against that vote, and he should not therefore support it.

The vote of Henry Lynch was then struck off the poll.

Mr. *Wrangham* proposed to strike off the vote of James Sheridan, of Drumard, of the barony of Longford.

Mr. *Thesiger* consented.

The vote of James Sheridan was then struck off.

Mr. *Wrangham* then proposed to strike off the vote of Michael Reynolds, of Fenclough, in the barony of Abbyshrule; and stated, that it would be for the convenience of the Committee that the objection which was intended to be raised to opening the register should then be taken.

The affidavit as to registering a person of the name of Michael Reynolds was then put in; also the entry of certificate of registry of Michael Reynolds as a voter for the county of Longford.

Mr. *Wrangham* observed, that it appeared by the Poll-book that Michael Reynolds, of Fenclough, in the barony of Abbyshrule, in the county of Longford, voted as a freeholder of 10*l.*, No. 160, on the 28th December, the second day's poll, for Mr. Luke White.

Mr. *Thesiger* objected to Mr. Wrangham being allowed to go into the consideration of the qualification of any person who had duly registered under the Irish Reform Act.

The Committee adjourned till To-morrow, at Eleven o'clock.

Sabbati, 15° *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Wrangham* was heard in answer to the objection taken by Mr. Thesiger, and contended, that the right which the Committee possessed of opening the registration before the Reform Act passed was not taken away by that Act, and that the cases referred to under the New Bankrupt Act did not apply, inasmuch as that Act and the Irish Reform Act were not analogous to each other; and in support of his argument referred to Viner's Abridgment Statutes, page 525; first volume of Blackstone's Commentaries, page 89; to the judgment of Lord Ashhurst and Lord Kenyon in the case of Shipham *v.* Henbury, in Durnford and East's Reports, page 114; to the Introduction to Serjeant Glanville's book, page 41; to the preamble and clauses of the Grenville Act, and to the English, Irish and Scotch Reform Acts.

Mr. *Thesiger* was part heard in reply.

The Committee adjourned till Monday next, at Twelve o'clock.

Lunæ, 17° *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Thesiger* was heard in continuation of his reply.

Mr. *Wrangham* was heard in explanation.

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman the Committee had come to the following resolution:—

"That the Committee do now proceed to the examination of such votes as were objected to at the time of the registration."

Mr. *Wrangham*. The vote we now object to is the vote of Michael Reynolds.

Mr. *George Gardiner*, sworn; and Examined by Mr. *Wrangham*.

In the course of the examination, Mr. Robinson objected that the evidence produced was not sufficient to show that Mr. Thomas Lefroy was authorized to take an objection alluded to in the examination.

Mr. *Wrangham* was heard in answer to the objection.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the fact of the objection being allowed by the assistant barrister to be gone into was sufficient evidence to the Committee that the objection was duly authorized."

Mr. *George Gardiner* was re-called, and Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Matthew Shaw, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Robert Cox, sworn; and Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw; and

Andrew Johnstone was sworn, and Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Examined by the *Committee*.

The witness was then ordered to withdraw.

Mr. *Whitesides* then stated that was his case.

Robert Wallace, sworn; and Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Examined by the *Committee*.

The witness was then ordered to withdraw.

Thomas Backer was sworn, and Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*.

Mr. *Robinson* was then heard in answer to the objection to the vote of Mr. *Michael Reynolds*.

Mr. *Whitesides* replied.

The committee-room was cleared, and on the Counsel and the Agents being called in, they were informed by the Chairman that the Committee had come to the decision, "That the vote of Michael Reynolds be struck off the poll."

The Committee then adjourned till Eleven To-morrow.

Martis, 18° *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

The committee-room was cleared, and on Counsel and Agents being called in, they were informed by the Chairman the Committee had come to the following resolution:—

"That the principle on which beneficial interests are to be estimated, under the Irish Reform Act, by this Committee, be in accordance with the statute 10 Geo. IV., c. 8, s. 6."

Mr. *Wrangham* stated, that the next vote they objected to was the vote of Hugh Quane, of Ballycloughan, in the county of Longford; 365 on the poll, and 39 on the list of objected voters; registered on 22 October 1832.

Mr. *John V. Crawford*, sworn; Examined by Mr. *Wrangham*.

Do you produce the affidavit of the registry of Hugh Quane?—I do.

The affidavit of Hugh Quane was then put in, dated 22 October 1832.

Mr. *George Gardiner*, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

Mr. *Andrew Johnstone*, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Mr. *Robinson* said he did not think he should be acting respectfully to the Committee, if he attempted to support this vote after the evidence given.

The vote of Hugh Quane was then struck off the poll.

Mr. *Wrangham* said, the next vote was the vote of James M'Cormick, of Streamstown, in the barony of Abbyshrule, in the county of Longford; registered on 22 October 1832; voted for Mr. Luke White; No. 128 on the poll, and 190 in the list of objections.

Mr.

Mr. *John V. Crawford,* re-called; Examined by Mr. *Wrangham.*

Produced the affidavit of the registry of James M'Cormick, dated 22 October 1832; also the entry of certificate of registry, same date.

Mr. *George Gardiner,* re-called; Examined by Mr. *Wrangham.*

Matthew Shaw, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

Mr. *Robert Cox,* sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

Mr. *Wrangham* stated that was his case as to this vote.

Mr. *Robert Wallace,* sworn; Examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Wrangham* objected to the witness being allowed to refer to a copy of the notes.

Mr. *Robinson* was heard in answer to the objection.

After an intimation from the Committee, Mr. *Wrangham* withdrew the objection.

Robert Wallace, re-called; Examined by the *Committee* and by Mr. *Robinson*; Cross-examined by Mr. *Wrangham.*

Produced a copy of the book of valuation of the land, &c.

Re-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Thomas Bracken, sworn; Examined by Mr. *Robinson* and by the *Committee.*

The witness was ordered to withdraw.

Mr. *Robinson* was heard in support of the vote.

Mr. *Wrangham* was heard in reply.

The committee-room was cleared.

On Counsel and Agents being called in, they were informed that the Committee had come to the resolution, "That the vote of James M'Cormick should be struck off the poll."

Mr. *Wrangham* observed, "The next vote objected to was John Henessy, of the barony of Baltintrubba, No. 83 on the poll, No. 49 on the list of objections."

Mr. *John V. Crawford,* re-called; Examined by Mr. *Wrangham.*

Produced the affidavit of the registry of John Henessy, sworn 22d October 1832.

Mr. *George Gardiner,* re-called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Mr. *Thesiger* submitted, on the evidence given, that Mr. Whitesides was not entitled to go into the objection to this vote, according to the terms of the resolution which the Committee had come to.

Mr. *Whitesides* was heard in reply.

The committee-room was cleared.

Upon Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That sufficient grounds were not established to question the vote of John Henessy."

George Gardiner, re-called; Examined by Mr. *Wrangham.*

Mr. *Thesiger* objected to Mr. Wrangham's giving any further evidence upon this vote, and asked the Committee to declare that the vote of John Henessy be retained on the poll.

Mr. *Wrangham* submitted that that should not be done, and that by the resolution of the Committee he was not precluded from giving additional evidence in support of the objection to this vote.

Mr. *Thesiger* replied.

The committee-room was cleared, but no decision was come to, and the Committee adjourned till Eleven o'clock To-morrow.

Mercurii, 19° *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

The committee-room was cleared.

On Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of John Henessy remain on the poll."

The *Chairman* stated he was desired also to inform the Counsel that a rumour had reached a Member of the Committee that there had been some communication between parties who

had been in this court, and witnesses out of the court, as to the evidence which had taken place before the Committee; and he had been desired to mention it to the Counsel, with a view of expressing a hope that if any such practice had existed it should be put an end to.

Mr. *Thesiger* stated that he believed such had been the case, and he had witnesses ready who would prove it.

Mr. *Ambrose Boules*, sworn; Examined by Mr. *Harrison*; Cross-examined by Mr. *Austin*; Examined by the *Committee*.

The witness was ordered to withdraw.

Mr. *Harrison*.] I do not think it necessary to carry the matter any further after the intimation of the Committee.

Thr vote next proceeded with was the vote of John Ledwith, of Maydon Barony; 216 on the poll.

Mr. *J. V. Crawford*, sworn; Examined by Mr. *Harrison*.

Produced the register of John Ledwith; sworn 22d day of October 1832; with the entry of the certificate of registry.

Mr. *George Gardiner*, sworn; Examined by Mr. *Harrison*; Cross-examined by Mr. *Austin*.

The witness was ordered to withdraw.

Mr. *James R. Richardson*, sworn; Examined by Mr. *Whitesides*.

Mr. *Austin*, in the course of the examination, contended that a lease alluded to must be produced, and secondary evidence was not sufficient.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Austin* replied.

The committee-room was then cleared. On Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That one Counsel on each side do argue the point as to the necessity of producing the deed, lease or instrument under which the vote is registered."

Mr. *Austin* then proceeded to address the Committee, pursuant to the resolution.

Mr. *Wrangham* was heard on the other side.

Mr. *Austin* replied.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the Committee consider the necessity of producing the deed, lease or instrument under which a voter is registered, is established."

Mr. *Andrew Johnstone*, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin*; Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *Wrangham* then proposed to put in the notice as evidence.

Mr. *Austin* objected to the production of the notice, as not being sufficiently explicit.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Andrew Johnstone*, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin*; Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *James Richardson*, re-called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin*.

Mr. *Wrangham* objected to the examination.

Mr. *Austin* resumed the examination.

The witness was ordered to withdraw.

The Committee adjourned till To-morrow, at Eleven o'clock.

Jovis, 20° *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Members were called over; all present.

Mr. *Harrison* stated, he had an application to make to the Committee for their assistance, for the purpose of enabling his clients to supply some defect in the evidence with respect to the delivery of notices to the tenants, which was not owing to any of their fault, but rom outrages in that part of the country, which rendered it impossible for them to deliver them in the way they should have been delivered.

Mr. *Austin* opposed any such application being made.

The

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The *Committee* intimated it as their opinion, that the application could not then be entertained by the Committee, but that the question as to the notice with regard to the vote of John Ledwith should be proceeded with.

Mr. *George Gardiner*, sworn; Examined by Mr. *Wrangham*.

Mr. *Austin* objected to the examination being proceeded with.

Mr. *Wrangham* was heard in answer to the objection.

The *Committee* were of opinion that Mr. *Austin* should proceed with his argument upon the insufficiency of the notice.

Mr. *Austin* then proceeded with his argument.

Mr. *Wrangham* was heard on the other side.

Mr. *Austin* was heard in reply.

The committee-room was cleared; on Counsel and Agents being called in, the Chairman informed them that the Committee had come to the following resolution:—

"That the notice served on John Ledwith, and the service thereof, are sufficient."

The notice to produce the lease was then handed in.

Mr. *Wrangham* then called on the other party to produce the lease.

Mr. *Thesiger* stated that they did not produce it.

Mr. *Wrangham* then desired the evidence given by Mr. Gardiner yesterday to be read.

The Short-hand Writer read the evidence.

James Richardson, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham*.

Matthew Shaw, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Andrew Johnstone, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham*.

Mr. *Wrangham* stated that was his case.

Francis Davys, sworn; Examined by Mr. *Thesiger*; Cross-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *Thesiger* was heard in support of the vote.

Mr. *Wrangham* was heard in reply.

On Counsel and Agents being called in, the Chairman informed them that the Committee had decided that the vote of John Ledwith should be struck off the poll.

The Committee adjourned till Eleven o'clock To-morrow.

Veneris, 21o *die Aprilis* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Members were called over; all present.

Mr. *Thesiger* suggested, that, with a view of expediting the proceedings and saving time, the Committee should decide upon the validity of the votes upon the evidence produced before them, without hearing the arguments of Counsel.

Mr. *Wrangham* acceded to the proposition.

Mr. *Harrison* then applied to the Committee to have summonses or notices, under the sanction of the Committee, headed as they were in the Galway case, in order to give them the authority of the Committee issued to the voters to produce their deeds in the same form in which it was done in the Galway case; and that if they could not serve them on the individual, that service on the wife, son or daughter, or at the house, should be deemed good service. He stated, as the ground of his application, that the persons who had been employed to serve the notices had been prevented doing so by violence and intimidation.

Mr. *Thesiger* opposed the application.

Mr. *Harrison* replied.

The committee-room was cleared; on Counsel and Agents being called in, the Chairman informed them that the Committee had come to the following resolution:—

"That Mr. Harrison do bring forward evidence in support of his application."

William Morrison, sworn; Examined by Mr. *Whitesides*.

Mr. *Austin* objected to the question.

Mr. *Wrangham* was heard in answer to the objection.

The Committee were of opinion that the question could not be put.

Cross-examined by Mr. *Austin*; Re-examined by Mr. *Wrangham*.

Examined by the Committee.

The witness was ordered to withdraw.

Robert Cox, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin*; Examined by the *Committee*; Re-examined by Mr. *Wrangham*; Examined by the *Committee*.

The witness was ordered to withdraw.

Matthew Shaw, sworn; Examined by Mr. *Harrison*; Cross-examined by Mr. *Austin*; Re-examined by Mr. *Harrison*.

The witness was ordered to withdraw.

Mr. *Harrison* stated, that if the Committee did not think this evidence sufficient on the point, he had other witnesses, who had not yet arrived from Ireland, but who were expected the beginning of the week.

The Committee resolved, that Mr. Harrison should finish his evidence on the point before they decided it, and adjourned the consideration of it until the further evidence was produced.

Mr. *Austin* then requested that the Committee would direct that they should be furnished every evening with a list of the votes that were intended to be objected to on the following day.

Mr. *Harrison* objected to that.

The Committee directed that such a list should be furnished, containing the names of ten votes objected to.

Mr. *Whitesides*.] The vote we now object to is that of Matthew Donohoe; 261 on the poll, 73 on the list of objections, and on the barony of Longford.

Mr. *John V. Crawford*, sworn; Examined by Mr. *Wrangham*.

Produced the affidavit of registration of this voter.

The document was then handed in, with certificate of registry.

James Ganly, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

William Morrison, sworn; Examined by Mr. *Whitesides*.

Produced a copy of the notice.

Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

The Committee intimated their opinion, that the service of the notice was sufficiently proved.

The notice was then handed in.

Mr. *Whitesides* then asked the other side whether they produced the lease.

Mr. *Robinson* said that they did not.

Mr. *Ganly*, re-called; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Mr. *James Armstrong*, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

Mr. *William Stephenson*, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Mr. *Whitesides* stated this was his case.

Mr. *Thomas Nesbitt*, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

Thomas Gregory, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*.

Mr. *Thesiger* objected to the question put to witness.

The witness was ordered to withdraw.

The Committee adjourned till To-morrow, at Eleven o'clock.

Sabbati, 22° die Aprilis 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Thomas Gregory, sworn; further Examined by Mr. *Wrangham*; Re-examined by Mr. *Robinson*; Examined by the *Committee*.

The witness was ordered to withdraw.

Mr.

Mr. *Harrison* then proposed to call Mr. Walker, the tithe valuer, to speak as to the waste.

Mr. *Austin* objected to their calling any further evidence, as they had closed their case, and he had called his witnesses.

Mr. *Harrison* was heard in answer to the objection.

Mr. *Austin* replied.

The Committee allowed the objection.

The committee-room was then cleared, for the purpose of considering the vote of Matthew Donohoe.

On Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That the vote of Matthew Donohoe remain on the poll."

Mr. *Wrangham.*] The next vote is Thomas Magee; 94 on the list, and 269 on the poll of the barony of Longford.

Mr. *John V. Crawford,* sworn; Examined by Mr. *Wrangham.*

Produced the affidavit of the registry of Thomas Magee, with the certificate of registry.

Thomas Morrison, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *Austin* objected to the validity of this vote being further inquired into, on the ground that it had not been proved that any objection was made to the vote at the registration of 1831, and that therefore the proper affidavit being produced was quite sufficient.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Austin* replied.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That Counsel do proceed with the vote of Thomas Magee."

Thomas Morrison, called; Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *Austin* objected that the service of the notice was not sufficient.

Mr. *Whitesides* was heard in answer to the objection.

Mr. *Austin* replied.

The committee-room was cleared. On Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That in the case of Thomas Magee, notice has been sufficiently proved."

Mr. *Whitesides* inquired, did they produce the lease?

Mr. *Austin* replied, "No."

Mr. *Lambert Disney,* sworn.

Mr. *Wrangham* commenced the examination.

Mr. *Thesiger* inquired whether the witness had not been in the room during the examination of the witnesses.

Witness replied that he had.

Mr. *Thesiger* contended, that according to the rule which the Committee had laid down, the evidence of this witness could not be received.

The Committee were of opinion, under the circumstances, the witness could not be examined.

The Committee adjourned till Monday, at Twelve o'clock.

Lunæ, 24° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *William Walker,* sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Thomas Morrison, sworn; Examined by Mr. *Whitesides.*

Mr. *Robinson* objected to a question put to the witness, as to the payment of rent paid for Magee's farm.

Mr. *Whitesides* was heard in support of his right to put the question.

Mr. *Robinson* replied.

The committee-room was cleared; on Counsel and Agents being called in, the Chairman informed them that the Committee had come to the following resolution :—

"That the question be not put."

Thomas Morrison, re-called; Examined by Mr. *Whitesides.*

Mr. *Whitesides* stated that he had no other witnesses to call to prove the rent actually paid.

The Chairman then stated that the Committee had come to the resolution,—

"That the name of Thomas Magee should remain on the poll."

Mr. *Whitesides* stated that the next vote objected to was the vote of William Donohoe; No. 72 on the list, 68 on the poll.

John V. Crawford, sworn; Examined by Mr. *Whitesides.*

Produced the affidavit of registry of William Donohoe, with the entry of certificate of registry, which were severally handed in.

James Ganly, sworn; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Thomas Morrison, re-called; Examined by Mr. *Whitesides,* who inquired if he produced the lease.

Mr. *Robinson* replied, "No."

James Ganly, re-called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Mr. *William Walker,* re-called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

William Stephenson, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides*; Examined by the *Committee.*

The witness was ordered to withdraw.

John Armstrong, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

Mr. *Whitesides* stated that was his case.

Thomas Nesbitt, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Robinson*; Examined by the *Committee.*

The witness was ordered to withdraw.

Thomas Gregory, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Robinson*; Examined by the *Committee.*

The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed that the Committee had come to the following resolution :—

"That the vote of William Donohoe be struck off the poll."

Mr. *Wrangham* stated, that the next vote they objected to was Hugh Donohoe; 425 on the poll, 126 on the list of objections.

Mr. *John V. Crawford,* sworn; Examined by Mr. *Wrangham.*

Witness produced the certificate of registry of Hugh Donohoe; also the entry of certificate of registry, which were severally handed in.

James Ganly, re-called; Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Thomas Morrison, re-called; Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

William Walker, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *Robinson* contended, that the evidence given was against Hugh Donohoe, of Drumard, and that the certificate produced applied to a different person.

Mr. *John V. Crawford,* re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness withdrew.

Mr. *Robinson* withdrew the objection.

James Armstrong, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

William Stephenson, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Wrangham* stated that was his case against the vote.

Mr.

Mr. *Thomas Nesbitt*, re-called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*; Examined by the *Committee*.

The witness was ordered to withdraw.

Thomas Gregory, re-called; Examined by Mr. *Robinson*; Examined by the *Committee*.

The witness was ordered to withdraw.

On Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Hugh Donohoe be struck off the poll."

Mr. *Wrangham* stated, that the next vote objected to was the vote of Mark O'Rourke; 97 on the list, and 311 on the poll.

Mr. *John V. Crawford*, re-called; Examined by Mr. *Wrangham*.

Witness produced the certificate of Mark O'Rourke; also the entry of certificate of registry.

Thomas Morrison, re-called; Examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

George Gardiner, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

James Armstrong, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Examined by the *Committee*.

The witness was ordered to withdraw.

William Stephenson, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

William Wilson, re-called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

Mr. *Wrangham* stated that was the case against the vote.

Thomas Nesbitt, re-called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*; Re-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Mark O'Rourke be struck off the poll."

Adjourned till To-morrow, at Eleven o'clock.

Martis, 25° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of all the Members were called over; all present.

Mr. *Wrangham* said, "The vote we now object to is the vote of Thomas Kiernan, of Ballyduffy; 137 on the list, and 247 on the poll."

Mr. *John V. Crawford*, sworn; Examined by Mr. *Wrangham*.

Witness produced the affidavit of the registration of Thomas Kiernan, with the entry of certificate of registry, which were severally handed in.

James Ganly, sworn; Examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Thomas Morrison, sworn; Examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *J. V. Crawford*, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*.

The witness was ordered to withdraw.

Thomas Ganly, re-called; Examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *Thesiger* contended, that the identity of the voter was not sufficiently proved to question his qualification.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Thesiger* replied.

The committee-room was cleared; on Counsel and Agents being called in, they were informed the Committee had come to the following resolution:—

"That Counsel proceed with the vote of Thomas Kiernan,"

William Stephenson, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Thesiger*.

James Armstrong, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *William Walker*, sworn; Examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *Wrangham* said that was his case.

Peter Daly, sworn; Examined by Mr. *Thesiger*; Cross-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Thomas Kiernan be struck off the poll."

Mr. *Wrangham* stated, that the next vote was the vote of Matthew Lee; 330 on the poll, and 145 on the list of objections.

Mr. *John V. Crawford*, sworn; Examined by Mr. *Wrangham*.

The witness produced the affidavit of Matthew Lee, with the entry of certificate of registry.

James Ganly, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin*.

The witness was ordered to withdraw.

Thomas Morrison, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin*.

The witness was ordered to withdraw.

Mr. *William Walker*, re-called; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Mr. *William Lloyd Galbraith*, sworn; Examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *Robinson* stated he should call no evidence on this vote.

The Committee then came to the following resolution:—

"That the vote of Matthew Lee be struck off the poll."

Mr. *Wrangham* said, the next vote was the vote of John Sullivan; 348 on the poll, 179 on the list.

Witness produced the affidavit of registry of John Sullivan, with the entry of certificate of registry, which were severally handed in.

Mr. *Arthur Achmuty Griffith*, sworn; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

William Walker, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

Mr. *Lloyd Galbraith*, re-called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

James Armstrong, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

Mr. *Whitesides* said that was the case against the vote.

Peter Daly, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed the Committee had come to the resolution,—

"That the vote of John Sullivan is a good vote."

Mr. *Wrangham* said, the next vote was Thomas Flannagan; 47 on the poll, 17 on the list of objections.

Mr. *John V. Crawford*, called; Examined by Mr. *Wrangham*.

Witness produced the certificate of registry of Thomas Flannagan, which was handed in.

George Gardiner, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

John Carey, sworn, and Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

Robert Wilson, sworn; Examined by Mr. *Thesiger*, who said he thought the witness had been in the committee-room before during the discussion; who admitted he had.

Mr. *Robinson* then submitted, that, in accordance with the resolution of the Committee, the witness could not be examined.

Mr.

Mr. *Thomas Bracken,* sworn; Examined by Mr. *Robinson.*

Mr. *Wrangham* objected to a question put to the witness respecting his occupation of some commonage land.

Mr. *Robinson* was heard in support of his right to put the question.

Mr. *Wrangham* replied.

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the evidence as to any alleged right of commonage ought to be shown by the production of the lease."

Mr. *Thomas Bracken,* re-called; Examined by Mr. *Robinson.*

Mr. *Wrangham* objected to a question put to the witness, as to whether he had any extract from the lease.

Mr. *Robinson* was heard in answer to the objection.

Mr. *Wrangham* replied.

The Committee were of opinion the question could not be put.

Mr. *Robinson* resumed the examination; Cross-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

The Committee then came to the following resolution:—

"That the vote of Thomas Flannagan be struck off the poll."

Mr. *Wrangham* said, the next vote was the vote of Patrick Magrath; No. 60 on the poll, and 30 on the list of objections.

Mr. *John V. Crawford,* re-called; Examined by Mr. *Whitesides.*

The witness produced the affidavit of Patrick Magrath, with the entry of certificate of registry, which were severally handed in.

George Gardiner, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Andrew Johnstone, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *James R. Richardson,* sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Wrangham* stated, that was his case against that vote.

Dennis O'Connor, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*; Re-examined by Mr. *Robinson,* by the *Committee,* and by Mr. *Whitesides.*

The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Patrick Magrath be struck off the poll."

Mr. *Whitesides* said, the next vote was that of Francis Wheelan, No. 238 on the list, and 41 on the poll.

Mr. *John V. Crawford,* called; produced the affidavit of Francis Whelan, with the entry of the certificate of registry, which were severally handed in.

James Ganly, re-called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *James R. Richardson,* called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *William Walker,* called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Mr. *Wrangham* stated that was his case.

Dennis O'Connor, re-called; Examined by Mr. *Robinson.*

Cross-examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had cometo the following resolution:—

"That the vote of Francis Whelan be struck off the poll."

Mr. *Wrangham* stated, that the next vote was that of Patrick Heslin; No. 118 on the poll, and 81 on the list.

Mr. *John V. Crawford,* re-called; Examined by Mr. *Wrangham.*

Witness produced the affidavit of Patrick Heslin, and the entry of the certificate of registry.

Andrew Johnstone, re-called; Examined by Mr. *Whitesides*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *James Richardson,* re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The Committee adjourned till Eleven o'clock To-morrow.

Mercurii, 26° *die Aprilis,* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Thomas Nesbitt,* sworn; Examined by Mr. *Robertson*; Cross-examined by Mr. *Wrangham.*

Mr. *Thesiger* objected to the witness being examined as to his book, it not having been previously referred to.

Mr. *Wrangham* was heard in answer to the objection.

The Committee were of opinion there was not sufficient to warrant the witness being cross-examined on the book in this case.

The committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Patrick Heslin be struck off the poll."

Mr. *Whitesides.*] The next is the vote of William Farrell; 243 on the poll, and 76 on the list.

Mr. *John V. Crawford,* sworn; Examined by Mr. *Whitesides.*

"Do you produce the affidavit of W. Farrell?"—Witness produced it; also the entry of registry.

George Gardiner, sworn; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Mr. *James R. Richardson,* sworn; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Andrew Johnstone, sworn; Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Thomas Nesbitt, called; Examined by Mr. *Austin.*

The witness was ordered to withdraw.

Mr. *Austin* then submitted that they had not sufficiently identified the quantity of land in the possession of the voter.

Mr. *Wrangham* was heard in answer.

Mr. *Austin* replied.

Thomas Nesbitt, re-called; Examined by Mr. *Austin*; Cross-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of William Farrell be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Thomas M'Cormick; No. 145 on the poll, 41 on the list.

Mr. *John V. Crawford,* called.

Witness produced the affidavit of Thomas M'Cormick; also the entry of certificate of registry.

George Gardiner, re-called; Examined by Mr. *Whitesides.*

Mr. *Austin* objected to the question of joint tenancy being gone into.

Mr. *Whitesides* was heard in answer to the objection.

Mr. *Austin* replied.

Mr.

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Mr. *Whitesides* then stated, that in order to save the time of the Committee (not giving up the point), it might be taken that the man held the whole nine acres.

Andrew Johnstone, called; Examined by Mr. *Whitesides*; Examined by the *Committee.*
The witness was ordered to withdraw.
Mr. *Robinson* stated, he should offer no evidence in support of this vote.
The vote of Thomas M'Cormick was then struck off the poll.

Mr. *Whitesides.*] The next vote is the vote of James Farrell; 214 on the list, 86 on the poll.
Mr. *John V. Crawford* produced the certificate of James Farrell, which was put in; also the entry of certificate of registry.

James Ganly, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Mr. *John V. Crawford,* re-called; Examined by Mr. *Robinson* as to whether there were more than one James Farrell.
Examined by the *Committee.*

Mr. *Arthur Griffith,* sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Examined by the *Committee.*
The witness was ordered to withdraw.

Mr. *James R. Richardson,* re-called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.
Mr. *Whitesides* stated that was their case.
Mr. *Robinson* then proposed to call Mr. O'Connor; but the Committee stated they were of opinion the vote of James Farrell was a good vote, and must therefore be retained on the poll.

The next is the vote of Timothy Cline; 23 on the poll, and 55 on the list of objections.
Mr. *John V. Crawford,* called; produced the affidavit of registry of Timothy Cline, and the entry of the certificate of registry.

James Ganly, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Thomas Morrison, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Ambrose Bole, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.
Mr. *Whitesides* stated that was his case.
The Committee adjourned till Eleven o'clock to-morrow.

Veneris, 27° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.
Mr. *Andrew Johnstone,* sworn; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.
Mr. *Whitesides.*] That is our case.

Mr. *Francis Davies,* sworn; Examined by Mr. *Austin*; Cross-examined by Mr. *Whitesides.*

Mr. *Joseph M'Gaver* sworn; Examined by Mr. *Austin*; Cross-examined by Mr. *Wrangham*; Re-examined by Mr. *Austin.*
The witness was ordered to withdraw.
The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—
"That the vote of Timothy Cline be retained on the poll."

The next vote was that of Christopher Doord; 54 on the list, 24 on the poll.
Mr. *John V. Crawford* produced the affidavit of Christopher Doord, and the entry of certificate of registry.

Arthur A. Griffiths, sworn; Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

William Morrison, sworn; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Ambrose Bole, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

The witness was then ordered to withdraw.

Andrew Johnstone, called; and Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *Wrangham* said, that was his case against the vote.

Francis Davies, called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Joseph M'Gaver, called; and Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*; Re-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

The committee-room was then cleared; and on Counsel being called in, the Chairman informed them that the Committee had come to the following resolution:—

"That the vote of Christopher Doord be affirmed."

The next vote was that of Michael Sweeney; 304 on the poll, and 38 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Witness produced the affidavit of Michael Sweeney; also the entry of certificate of registry.

George Gardiner, sworn; Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Andrew Johnstone, called; and Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *James R. Richardson,* called; Examined by Mr. *Wrangham.*

Mr. *Robinson* objected to a question put to witness as to the quality of the land.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Robinson* replied.

The *Committee* were of opinion that the question should not be put.

Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Francis Davies, called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

The Committee then came to the following resolution:—

"That the name of Michael Sweeney be struck off the poll."

Mr. *Wrangham.*] The next vote is that of James Doherty; 200 on the list, 50 on the poll.

Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham.*

Produced affidavit of James Doherty, and entry of certificate of registry.

George Gardiner, called; and Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

Witness was ordered to withdraw.

Matthew Shaw, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

John Morgan, sworn, and Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Robert Cox, sworn; and Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *Wrangham* stated that was his case.

Robert Wallace, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Thomas Bracken, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Austin.*

The witness was then ordered to withdraw.

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The committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of James Doherty be struck off the poll."

The next vote was that of Matthew M'Cormick, of Lisburn; 689 on the list; 48 on the poll.

Mr. *John V. Crawford*, called.

Produced the affidavit of Matthew M'Cormick, and the entry of certificate of registry.

Mr. *Arthur A. Griffiths*, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.

Mr. *Wrangham* objected to a memorandum which the witness read being received as evidence.

Mr. *Robinson* was heard in answer to the objection.

The Committee were of opinion that it was evidence.

Mr. *Robinson* resumed the examination.

Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

John Morgan, called; and Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin*.

Witness was ordered to withdraw.

Matthew Shaw, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin*.

The witness was ordered to withdraw.

Robert Cox, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin*.

The witness was ordered to withdraw.

John Corry was called, and Examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

Mr. *Wrangham* stated that was his case.

Robert Wallace, called; Examined by Mr. *Austin*; Cross-examined by Mr. *Wrangham*; Re-examined by Mr. *Austin*.

The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Austin*; Cross-examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Matthew M'Cormick is a good vote."

The next is a vote of Patrick Kelly; 341 on the poll, 144 on the list.

Mr. *John V. Crawford*, called.

Witness produced the affidavit and certificate of registry of Patrick Kelly.

George Gardiner, called; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

William Morrison, called; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Mr. *William Walker*, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin*.

The witness was ordered to withdraw.

Mr. *William Lloyd Galbraith*, sworn; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Peter Daly, sworn, and Examined by Mr. *Austin*; Cross-examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Patrick Kelly be struck off the poll."

The Committee adjourned till To-morrow, at Eleven o'clock.

Veneris, 28° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Wrangham* said, "The vote we now proceed to is the vote of John Farrell; 241 on the poll, 197 on the list."

Mr. *John V. Crawford*, sworn, and Examined by Mr. *Wrangham*.

Witness produced the affidavit and entry of certificate of registry of John Farrell.

Mr. *Arthur A. Griffiths*, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham*.

The witness was ordered to withdraw.

John Morgan, sworn; Examined by Mr. *Wrangham*.

Witness was ordered to withdraw.

Matthew Shaw, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham*.

Mr. *Thesiger* then submitted that there was not sufficient evidence produced of the objection having been made to the voter at the time of the registration.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Thesiger* replied.

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That Counsel do proceed with the vote of John Farrell."

Robert Cox, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Thesiger*.

The witness was ordered to withdraw.

Mr. *Whitesides* stated that was his case.

Robert Wallace, sworn; Examined by Mr. *Thesiger*.

The witness was ordered to withdraw.

Mr. *Thesiger* stated he would not keep up the contest any longer on this vote.

The vote of John Farrell was then struck off the poll.

The next vote was that of Lawrence Mustagh; 191 on the list, 166 on the poll.

Mr. *John V. Crawford*, called.

Produced the affidavit and entry of certificate of registry of Lawrence Mustagh.

George Gardiner, sworn; Examined by Mr. *Whitesides*.

Andrew Johnstone, sworn; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Mr. *Whitesides* said, "That is the case against the vote."

Thomas Bracken, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

The committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Lawrence Mustagh be struck off the poll."

The next vote was that of Patrick Newman.

Mr. *John V. Crawford* produced the affidavit and entry of certificate of registry of Patrick Newman.

George Gardiner, called; Examined by Mr. *Whitesides*.

The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Whitesides*.

Witness was ordered to withdraw.

Robert Wallace, called; Examined by Mr. *Robinson*.

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Patrick Newman be struck off the poll."

The next vote was that of John Cody; 167 on the poll, 202 on the list.

Mr. *John V. Crawford*, called.

Produced the affidavit and entry of certificate of registry of John Cody.

James Ganly, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

John Morgan, sworn; Examined by Mr. *Whitesides*.

Witness was ordered to withdraw.

Matthew Shaw, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.

The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Robinson*.

The witness was then ordered to withdraw.

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The Committee came to the following resolution:—
"That the vote of John Cody be struck off the poll."

The next vote was that of Bryan Jordan; 149 on the poll, 195 on the list.
Mr. *John V. Crawford,* called.
Produced the certificate of Bryan Jordan, and entry of certificate of registry.

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

John Morgan, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.

Mr. *Whitesides* said, "That is my case."

Robert Wallace, called; Examined by Mr. *Robinson.*
Mr. *Robinson* said, he did not think he could maintain this vote.
The vote of Bryan Jordan was then ordered by the Committee to be struck off the poll.

The next vote was that of Patrick Dolan; 71 on the list, and 208 on the poll.
Mr. *John V. Crawford* produced the affidavit of registry and entry of certificate of registry of Patrick Dolan.

James Ganly, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.

Mr. *Whitesides* said that was his case.

Thomas Nesbitt, sworn; Examined by Mr. *Robinson.*
The witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of Patrick Dolan be struck off the poll."

The next vote was that of Michael Dowd; 42 on the poll, 74 on the list.
The usual affidavit and entry of certificate of registry were handed in by Mr. *Crawford.*

James Ganly, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.

William Morrison, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.

Mr. *William Lloyd Galbraith,* sworn; Examined by Mr. *Whitesides.*

Mr. *Whitesides* stated that was his case.

Thomas Nesbitt, called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Robinson.*
Witness was ordered to withdraw.

Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—
"That the vote of Michael Dowd be struck off the poll."

The next vote was that of David Matthews; No. 229 on the list, and 10 on the poll.

Mr. *John V. Crawford,* called.

Produced the usual affidavit and entry of certificate of registry of David Matthews.
Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Mr. *Robinson* stated that he should offer no evidence on this vote.

The Committee came to the following resolution:—
"That the vote of David Matthews be struck off the poll."

The next vote was that of Michael Simons; 8 on the poll, 185 on the list.
Mr. *John V. Crawford,* called.
Produced the affidavit of Michael Simons, and entry of certificate of registry.

Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Morgan, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Matthew Shaw, called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. *Robinson*
The witness was ordered to withdraw.

Mr. *Thomas Bracken,* called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. ——
The witness was ordered to withdraw.

The committee-room was cleared ; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That the vote of Michael Simons be struck off the poll."

The next was the vote of John Kearney ; 226 on the list, 88 on the poll.
Mr. *John V. Crawford,* called.
Produced the affidavit and entry of certificate of registry of John Kearney.

George Gardiner, called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. *Robinson.*
Witness was ordered to withdraw.

William Morrison, called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. *Robinson.*
Witness was ordered to withdraw.

Andrew Johnstone, called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. *Robinson* ; Re-examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Denis O'Connor, sworn ; Examined by Mr. *Robinson* ; Cross-examined by Mr. *Whitesides* ; Re-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

The committee-room was cleared ; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That the vote of John Kearney be struck off the poll."

Mr. *Whitesides* said, "The next vote is that of Thomas Farrell ; 198 on the list, 253 on the poll."
Mr. *John V. Crawford,* called.
Produced the affidavit of Thomas Farrell, and entry.

Mr. *Arthur A. Griffiths,* called ; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Morgan, called ; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.

Robert Cox, called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. *Robinson* ; Re-examined by Mr. *Whitesides.*
Witness was ordered to withdraw.
Mr. *Whitesides* said that was his case.

Thomas Bracken, called ; Examined by Mr. *Robinson* ; Cross-examined by Mr. *Whitesides* ; Re-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

The committee-room was cleared ; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That the vote of Thomas Farrell be struck off the poll."

The next vote was that of Francis Donaker ; No. 210 on the list, and 10 on the poll.
Mr. *John V. Crawford,* called.
Produced the affidavit of registry and entry of certificate.

James Ganly, called ; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

Andrew Johnstone, called ; Examined by Mr. *Wrangham* ; Cross-examined by Mr. *Robinson.*
Witness was ordered to withdraw.

Mr. *James R. Richardson,* called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. *Robinson.*
Witness was ordered to withdraw.
Mr. *Wrangham* stated that was his case.

Denis O'Connor, called ; Examined by Mr. *Robinson* ; Cross-examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

The Committee-room was cleared ; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That the vote of Francis Donaker be retained on the poll."

The Committee adjourned till To-morrow, at Eleven o'clock.

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Sabbati, 29° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Wrangham.*] The vote next proceeded with is Patrick Kenny; 47 on the Petitioners' list, 123 on the poll.

Mr. *John V. Crawford,* sworn; Examined by Mr. *Wrangham.*

Witness produced the affidavit of registry of Patrick Kenny, and entry of certificate of registry

George Gardiner, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

William Morrison, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Andrew Brock, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

Mr. *Wrangham.*] That is my case.

The witness was ordered to withdraw.

Francis Davies, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Patrick Kenny be retained on the poll."

The next is Bryan Manion; 7 on the poll, 192 on the list.

Mr. *John V. Crawford,* called.

Produced the affidavit of Bryan Manion; and the entry of certificate of registry.

Mr. *Arthur A. Griffiths,* sworn; Examined by Mr. *Whitesides.*

Witness was ordered to withdraw.

Mr. *Robinson* objected to the vote being further proceeded with, on the ground that sufficient evidence had not been produced of an objection having been taken before the registering barrister.

Mr. *Whitesides* was heard in answer to the objection.

Mr. *Robinson* replied.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That sufficient evidence has not been adduced to prove an objection having been taken to the claim of Bryan Manion."

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the proof of objection to the vote of Bryan Manion is sufficient."

John Morgan, sworn; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Robert Cox, sworn; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Mr. *Whitesides* said that was his case.

Thomas Bracken, sworn; Examined by Mr. *Thesiger*; Cross-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Bryan Manion be struck off the poll."

The next vote was John Montgomery's; 90 on the poll, 228 on the list.

Mr. *John V. Crawford,* called.

Produced the affidavit of registry of John Montgomery.

Arthur A. Griffiths, called; Examined by Mr. *Whitesides*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Wrangham.*

Witness was ordered to withdraw.

Mr. *Wrangham* stated that was his case.

Denis O'Connor, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

Committee-room cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of John Montgomery be struck off the poll."

The next vote was James M'Cormick; 77 on the poll, 231 on the list.
The usual affidavit and entry of certificate was produced by Mr. *Crawford*.

James Ganly, sworn; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Wrangham*; Cross-examined by ————
The witness was ordered to withdraw.

Mr. *Thesiger* said he would not trouble the Committee on this vote.

The Committee came to the following resolution:—

"That the vote of James M'Cormick be struck off the poll."

The next vote is that of Owen M'Manicle; 233 on the list, — on the poll.
Mr. *John V. Crawford*, called.
Produced the affidavit and entry of certificate of registry of Owen M'Manicle.

Arthur A. Griffiths, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Thesiger*.
Mr. *Wrangham* objected to the course of examination being pursued on this vote.
The witness was ordered to withdraw.

William Morrison, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*.
The witness was ordered to withdraw.
Andrew Johnstone, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Mr. *Thesiger* stated he should offer no evidence on this vote.

The Committee came to the following resolution:—

"That the vote of Owen M'Manicle be struck off the poll."

The next was the vote of Dennis M'Cormick; 234 on the list, 28 on the poll.
Mr. *John V. Crawford*, called.
Produced the certificate of Dennis M'Cormick, of Grillagh.

George Gardiner, called; Examined by Mr. *Whitesides*.
Witness was ordered to withdraw.

William Morrison, called; Examined by Mr. *Whitesides*.
Witness was ordered to withdraw.

Mr. *James R. Richardson*; Examined by Mr. *Whitesides*.

The Committee came to the following resolution:—

"That the vote of Dennis M'Cormick be retained upon the poll."

The next vote objected to was the vote of James M'Cormick; 47 on the poll, 193 on the list.

Mr. *John V. Crawford* produced the affidavit and entry of certificate of registry of James M'Cormick.

George Gardiner, called; Examined by Mr. *Wrangham*.

Mr. *Wrangham* stated, that as there was another James M'Cormick, he should not proceed further with this vote.

The Committee then came to the following resolution:—

"That the vote of James M'Cormick, of Fashing, remain on the poll."

The next vote objected to was that of Barnard Newman; 86 on the poll, 236 on the list.
Mr. *Crawford* produced the usual affidavit and entry of registry.

George Gardiner, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Denis O'Connor, called; Examined by Mr. *Thesiger*; Cross-examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Barnard Newman be struck off the poll."

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The next vote is that of Bryan Kearney; 126 on the poll, 194 on the list.

Mr *John V. Crawford,* called; produced the affidavit of Bryan Kearney, and the entry of the certificate of registry.

George Gardiner, called; Examined by Mr. *Wrangham*; by Mr. *Robinson.*
Witness was ordered to withdraw.

John Morgan, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Matthew Shaw, called; Examined by Mr. *Whitesides.*

Mr. *Robinson* said he would not trouble the Committee on this vote.
The Committee then came to the following resolution:—
"That the vote of Bryan Kearney be struck off the poll."

The next vote was that of Michael Carney.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Witness produced the affidavit of Michael Carney, and the certificate of registry.

Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
Witness was ordered to withdraw.

William Morrison, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Mr. *Whitesides* said that was his case.

Denis O'Connor, called; Examined by Mr. *Robinson.*
The witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of Michael Carney be struck off the poll."
The Committee adjourned till Monday, at Twelve o'clock.

Lunæ, 1° *die Maii,* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Whitesides* said, that the next vote to be proceeded with was that of Thomas Farrell, of Arday; No. 216 on the list, 91 on the poll.

Mr. *John V. Crawford,* sworn; Examined by Mr. *Whitesides.*
Witness produced the affidavit of registry of Thomas Farrell, and the entry of certificate of registry.

Mr. *Arthur A. Griffiths,* sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin.*
The witness was ordered to withdraw.

William Morrison, sworn; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Andrew Johnstone, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin.*
The witness was ordered to withdraw.

Mr. *Whitesides* stated that was his case.

James M'Gaver, sworn; Examined by Mr. *Austin*; Cross-examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of Thomas Farrell be struck off the poll."

The next vote is that of Michael Kiernan; 175 on the poll, and 136 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit of Michael Kiernan, and the certificate of registry.

George Gardiner, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin.*
The witness was ordered to withdraw.

John Armstrong, sworn; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

Jacob Wiggins, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin*; Re-examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

Mr. *Wrangham* stated that was his case.

Peter Daly, sworn; Examined by Mr. *Austin*; Cross-examined by Mr. *Wrangham*; Re-examined by Mr. *Austin*; Examined by the *Committee.*
The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed the Committee had come to the following resolution:—

"That the vote of Michael Kiernan be struck off the poll."

Mr. *Whitesides* said, the next vote was that of Thomas Kelly; 135 on the list, and 31 on the poll.

Mr. *John V. Crawford*, called.
Produced the affidavit of Thomas Kelly, with the certificate of registry.

George Gardiner, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin*; Re-examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Mr. *Whitesides* stated that was his case.

Peter Daly, called; Examined by Mr. *Austin*; Cross-examined by Mr. *Whitesides.*
The Committee came to the following resolution:—
"That the vote of Thomas Kelly was a good vote, and be retained on the poll."

The next vote was that of Cormac Dowd.

Mr. *John V. Crawford*, called.
Produced the affidavit of Cormac Dowd, and the certificate of registry.

James Ganly, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Andrew Brock, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.
Mr. *Whitesides* said, "That is my case."

Peter Daly, called; Examined by Mr. *Robinson*; Cross-examined by Mr. ————
The witness was ordered to withdraw.
The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—
"That the vote of Cormac Dowd be struck off the poll."

The next vote was that of John Cullen; 118 on the list, 4 on the poll.

Mr. *John V. Crawford*, called.
Produced the affidavit of John Cullen, and the certificate of registry.

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Peter Daly, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of John Cullen is a good vote."

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The next vote was that of Peter Early; 37 on the poll, 242 on the list.

Mr. *John V. Crawford*, called; Examined by Mr. *Whitesides*.
Produced the affidavit of registry of Peter Early, and the certificate of registry.

George Gardiner, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Peter Daly, called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*.
The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Peter Early be struck off the poll."

The next vote objected to was that of Cornelius Farrell; 18 on the list, and 9 on the poll on the third day.

Mr. *John V. Crawford*, called.
Produced the affidavit of Cornelius Farrell, of Lehery, and the certificate of registry.

George Gardiner, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

John Corry, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Robinson*.
The witness was ordered to withdraw.

George Gardiner, re-called; Examined by Mr. *Robinson*.
The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Cornelius Farrell be struck off the poll."

The next vote was that of Thomas Chapman; 32 on the poll, 6 on the list.

Mr. *John V. Crawford*, called.
Produced the affidavit of Thomas Chapman, and the certificate of registry.

George Gardiner, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Robinson*.
The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Thomas Chapman be struck off the poll."

The next vote objected to was that of John Chapman; 7 on the list, 45 on the poll.

Mr. *John V. Crawford*, called.
Produced the affidavit and certificate of registry of John Chapman.

George Gardiner, called; Examined by Mr. *Whitesides*.
Mr. *Robinson* objected to any evidence being received of what the voter said.
Mr. *Wrangham* was heard in answer to the objection.
Mr. *Robinson* replied.

The Committee were of opinion that the evidence could not be received.

George Gardiner, re-called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Mr. *Robinson* stated he should not trouble the Committee with any evidence on the vote.
The Committee came to the following resolution:—

"That the vote of John Chapman be struck off the poll."

The next vote is that of Thomas Daly ; 13 on the list, 110 on the poll.
Mr. *John V. Crawford,* called.
Produced the affidavit of Thomas Daly, and certificate of registry.

George Gardiner, called ; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Corry, called ; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Rawlins, sworn ; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Robinson.*
The witness was ordered to withdraw.
The Committee came to the following resolution :—
" That the vote of Thomas Daly be struck off the poll."

The next vote was that of Peter Clarke ; 8 on the list, 66 on the poll.
Mr. *John V. Crawford,* called.
Produced the affidavit and certificate of registry of Peter Clarke.

George Gardiner, called ; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Corry, called ; Examined by Mr. *Whitesides* ; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Thomas Bracken, called ; Examined by Mr. *Robinson* ; Cross-examined by Mr. *Wrangham.*
The witness was ordered to withdraw.
The Committee came to the following resolution :—
" That the vote of Peter Clarke be struck off the poll."

The next vote was that of Charles Walker ; —— on the list, 55 on the poll.
Mr. *John V. Crawford,* called.
Produced the affidavit of Charles Walker, and the certificate of registry.

George Gardiner, called ; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

John Corry, called ; Examined by Mr. *Wrangham* ; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.
Mr. *Wrangham* said that was his case.

Thomas Bracken, called ; Examined by Mr. *Robinson* ; Cross-examined by Mr. *Wrangham* ; by the *Committee.*
The witness was ordered to withdraw.
The Committee came to the following resolution :—
" That the vote of Charles Walker be struck off the poll."

Adjourned till To-morrow, at Eleven o'clock.

Martis, 2° die Maii, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over ; all present.
Mr. *Whitesides* said, the next vote was that of Peter Martin ; 34 on the Petitioners' list, and 111 on the 2d day's poll.

Mr. *John V. Crawford,* sworn ; Examined by Mr. *Wrangham.*
Produced the affidavit of registry of Peter Martin, with the entry of certificate of registry.

George Gardiner, sworn ; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

John Corry, sworn ; Examined by Mr. *Wrangham.*

Cross-examined by Mr. *Robinson* ; Re-examined by Mr. *Wrangham* ; Examined by the *Committee.*
The witness was ordered to withdraw.

Thomas Bracken, sworn ; Examined by Mr. *Robinson* ; Cross-examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

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The committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Peter Martin be struck off the poll."

The next vote is that of Daniel Cunningham;—— on the list, 53 on the poll.

Mr. *John V. Crawford,* called.

Produced the affidavit and entry of certificate of registry of Daniel Cunningham.

Mr. *Arthur A. Griffiths,* sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Robinson* then submitted, that sufficient evidence had not been laid before the Committee to prove that an objection had been taken to this voter before the registering Barrister.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Robinson* replied.

The Committee were of opinion that the objection before the Barrister had been sufficiently proved.

John Corry, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was orered to withdra w.

Thomas Bracken, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Daniel Cunningham be struck off the poll."

The next vote was that of Michael Hunt; 25 on the poll, 30 on the list.

Mr. *John V. Crawford,* called.

Produced the affidavit of Michael Hunt, with the certificate of registry.

George Gardiner, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Austin.*

The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Austin.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Michael Hunt be retained on the poll."

The next vote is that of Charles Kennedy; 68 on the poll, 31 on the list.

Mr. *John V. Crawford,* called.

Produced the affidavit of Charles Kennedy and the entry of certificate of registry.

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Austin*; Re-examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *Whitesides* stated that was his case.

John Bracken, called; Examined by Mr. *Austin.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Charles Kennedy be struck off the poll."

The next vote is that of Henry Green; 25 on the list, and 20 on the poll."

Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham.*

Produced the affidavit of registry of Henry Green, and entry of certificate of registry.

George Gardiner, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. ———

The witness was ordered to withdraw.

Mr. *Wrangham* stated that was his case.

Mr. *John Bracken,* called; Examined by Mr. *Austin*; Cross-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Henry Green be struck off the poll."

The next vote is that of Thomas Green; 19 on the poll, 26 on the list.

Mr. *Joh V. Crawford,* sworn.
Produced the affidavit and entry of certificate of registry of Thomas Green.
Examined by Mr. *Whitesides.*
George Gardiner, called; Examined by Mr. *Whitesides.*
Mr. *Robinson* said, he would not trouble the Committee upon this vote.
The Committee came to the following resolution:—
"That the vote of Thomas Green be struck off the poll."

The next vote is that of Bryan Dowd; No. 70 on the poll, and 11 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit and certificate of registry of Bryan Dowd.

James Ganly, sworn; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

Robert Wallace, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham.*
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Bryan Dowd be struck off the poll."

The next vote is that of John Dowd.
Mr. *John V. Crawford,* called.
Produced the affidavit and entry of certificate of registry of John Dowd.
Mr. *Arthur A. Griffiths*; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

Thomas Bracken, called; Examined by Mr. *Robinson.*
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of John Dowd be struck off the poll."

The next vote is Dominick Keegan; 33 on the list, 23 on the poll.
Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit and entry of certificate of registry of Dominick Keegan.

George Gardiner, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.
Mr. *Whitesides.*] That is my case.

Francis Dards, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. ———.
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Dominick Keegan be struck off the poll."

Mr. *Wrangham* said, the next vote objected to was the vote of James Kenny; 32 on the list, 54 on the poll.
Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham.*
Produced the affidavit and registry of James Kenny.
George Gardiner, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides*; Re-examined by Mr. *Wrangham.*
The witness was ordered to withdraw.
Mr. *Wrangham* stated that was his case.

Thomas Bracken, called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*; Re-examined by Mr. *Robinson.*
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of James Kenny be retained on the poll."

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The next vote is the vote of Edward Farrell; 20 on the list, 118 on the poll.

Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham.*

Produced the affidavit and certificate of registry of Edward Farrell; and Examined by Mr. *Robinson* as to whether there were not two Edward Farrells.

Mr. *Robinson* submitted, that the objection to this vote could not be proceeded with.

Mr. *Wrangham* said, "I admit we cannot proceed on that vote."

The Committee then came to the following resolution :—

"That the vote of Edward Farrell should be retained on the poll."

Mr. *Wrangham* said, the next vote objected to is the vote of John Gavigan; No. 23 on the list, 39 on the poll.

Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham.*

Produced the affidavit and entry of certificate of registry of John Gavigan.

Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

Mr. *Wrangham* stated that was his case.

Thomas Bracken, called; Examined by Mr. *Robinson.*

The witness was ordered to withdraw.

The Committee came to the following resolution :—

"That the vote of John Gavigan be struck off the poll."

The next vote objected to is that of Lawrence Gerraghty; No. 50 on the poll, 27 on the list.

Mr. *John V. Crawford,* called.

Produced the affidavit and entry of certificate of registry of Lawrence Gerraghty.

George Gardiner, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Whitesides* said, "That is my case."

Thomas Bracken, called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The Committee came to the following resolution :—

"That the vote of Lawrence Gerraghty be retained on the poll."

The next was the vote of Patrick Hanley; 88 on the list; 21 on the poll.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit and entry of certificate of registry of Patrick Hanley.

Examined by Mr. *Robinson* as to whether there was not more than one Patrick Hanley.

Mr. *Robinson* objected to the vote being further proceeded with, on the ground that sufficient information was not afforded them in the list of objections furnished as to which Patrick Hanley this was.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Robinson* replied.

The Committee overruled the objection.

Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Robinson* contended, that Patrick Hanley, the voter in question, had not been sufficiently identified.

Mr. *Wrangham* was heard in answer to the objection.

The Committee came to the following resolution :—

"That the vote of Patrick Hanley be retained on the poll."

The next vote was the vote of John Farrell; 38 on the second day's poll, and 16 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Robinson,* as to whether there were not two John Farrells, of Rathbone, on the registry.

Mr. *Thesiger* contended, that there appearing to be three persons registering of the name of James Farrell, there was nothing upon the list of objections to inform them which of the three James Farrells was the person intended to be objected to.

Mr. *Wrangham* was heard in answer to the objection.

The committee-room was cleared; on Counsel and Agents being called in, they were informed that the Committee had come to the following resolution:—

"That Counsel do proceed with the vote of John Farrell."

Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger.*

Produced the affidavit and entry of certificate of registry of John Farrell.

Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Thesiger*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Thesiger*; Cross-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of John Farrell be struck off the poll."

The Committee adjourned till To-morrow, at Eleven o'clock.

Mercurii, 3° *die Maii,* 1837.

LORD CLIVE IN THE CHAIR.

THE names of the members of the Committee were called over; all present.

Mr. *Whitesides* said, the first vote they should object to was the vote of Bernard M'Gennis; No. 153 on the list, 2 on the poll.

Mr. *John V. Crawford,* sworn; Examined by Mr. *Whitesides.*

Produced the affidavit of registry and entry of certificate of registry of Bernard M'Gennis, of Covlaherty.

James Ganly, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

John Armstrong, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Robinson* said, "I do not mean to call any evidence in support of this vote."

The Committee came to the following resolution:—

"That the vote of Bernard M'Gennis be struck off the poll."

Mr. *Whitesides* observed, that the next vote they objected to was the vote of John Trite; 3 on the poll, 183 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit and entry of certificate of registry of John Trite.

George Gardiner, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Andrew Brock, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Peter Daly, sworn; Examined by Mr. *Robinson.*

The witness was ordered to withdraw.

The Committee came to the resolution that the vote of John Trite be struck off the poll.

Mr. *Whitesides* observed, that the next vote they objected to was the vote of Patrick M'Cormick; 155 on the list, 166 on the poll.

Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham.*

Produced the affidavit and entry of certificate of registry of Patrick M'Cormick.

James Ganly, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Patrick M'Cormick be struck off the poll."

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The next vote objected to is that of James M'Cabe; 412 on the poll, 159 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit of registry of James M'Cabe, and entry of certificate of registry.

George Gardiner, sworn; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

Jacob Wiggins, sworn; Examined by Mr. *Whitesides*; Examined by the *Committee.*

The witness was ordered to withdraw.

Peter Daly, called; Examined by Mr. *Austin*; Cross-examined by Mr. *Whitesides*; Re-examined by Mr. *Austin*; Examined by the *Committee.*

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of James M'Cabe be struck off the poll."

The next vote is that of Thomas Magarahan; 161 on the list, 411 on the poll.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit and entry of certificate of registry of Thomas Magarahan, of Arighomoran.

George Gardiner, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

John Armstrong, called; Re-examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Thomas Magarahan be struck off the poll."

The next vote was that of Patrick M'Cabe; 413 on the poll, and 160 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit and entry of certificate of registry of Patrick M'Cabe.

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Patrick M'Cabe be struck off the poll."

Mr. *Whitesides* said, "Then the next vote, which is exactly like the two former ones, is the vote of Thomas Brady; 410 on the poll, —— on the list."

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit and entry of certificate of registry of Thomas Brady.

John Armstrong, called; Examined by Mr. *Whitesides.*

Witness was ordered to withdraw.

Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Thomas Brady be struck off the poll."

Mr. *Whitesides* said, the next vote they objected to was the vote of Patrick Brady; 82 on the poll, and 119 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit of registry of Patrick Brady.

George G ardiner, called; Examined by Mr. *Whtesides.*

The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides.*

Witness was ordered to withdraw.

Mr. *Robinson* stated he should call no evidence in support of the vote.

The Committee came to the following resolution:—

"That the vote of Patrick Brady be struck off the poll."

The next vote is that of Henry M'Givney.
Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit and entry of certificate of registry of Henry M'Givney.
George Gardiner, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Mr. *Robinson* said, he could not maintain this vote.
The Committee came to the resolution, "That the vote of Henry M'Givney be struck off the poll."

The next vote objected to was the vote of Matthew M'Gurk; 152 on the list, 399 on the second day's poll.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit and entry of certificate of registry of Matthew M'Gurk.
George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides.*
Mr. *Robinson* said, he had no evidence to produce in support of the vote.
The Committee came to the following resolution:—
"That the vote of Matthew M'Gurk be struck off the poll."

The next vote was that of Bryan Tracey; 181 on the list, 244 on the poll of the 2d day.
Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit and entry of certificate of registry of Bryan Tracey.
George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides.*
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
The witness was ordered to withdraw.

Mr. *Robinson* stated, that he should not call any evidence in support of the vote.
The Committee came to the following resolution:—
"That the vote of Bryan Tracey be struck off the poll."

The next vote objected to was Matthew Flood; 34 on the poll, 128 on the list.
Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit and entry of certificate of registry of Matthew Flood.
George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.
Andrew Brock, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.
Mr. *Robinson* stated, he had no evidence to offer in support of the vote.

The Committee came to the following resolution:—
"That the vote of Matthew Flood be struck off the poll."

The next vote is that of Terence Flood; 137 on the list; 32 on the poll.
Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*
Produced the affidavit of registry of Terence Flood.

George Gardiner, called; Examined by Mr. *Whitesides.*
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*
Witness was ordered to withdraw.

Jacob

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Jacob Wiggins, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
Witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Mr. *Robinson* then submitted that the service of the notice had not been sufficiently proved.

Mr. *Whitesides* on the other side.

The committee-room was cleared; Counsel and Agents being called in, they were informed that the Committee had come to the following resolution :—

"That the evidence of the service of the notice on Terence Flood was sufficient."

Mr. *Robinson* stated that he should not offer any evidence in support of the vote.

The Committee came to the following resolution :—

"That the vote of Terence Flood be struck off the poll."

The next vote objected to was the vote of James Beglin; No. 111 on the list; 266 on the poll.

Mr. *John V. Crawford*, called.

Produced the affidavit of registry and entry of certificate of registry of James Beglin.

Mr. *Arthur A. Griffiths*, sworn; Examined by Mr. *Whitesides*.

Mr. *Robinson* objected to the vote being further proceeded with, upon the ground that in the list of objections the name was Beglin, whereas in the certificate of registry it was Biglane.

Mr. *Harrison* was heard in answer to the objection.

Mr. *John V. Crawford*, called; Examined by Mr. *Whitesides*, as to "whether there was any other person of the name of Beglin or Biglane, of the barony of Granard."

The Committee overruled the objection.

Mr. *Arthur A. Griffiths*, called; Examined by Mr. *Whitesides*.
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

Mr. *Robinson* said, he should offer no evidence in support of the vote.

The Committee came to the following resolution :—

"That the vote of James Beglin be struck off the poll."

The next vote objected to is the vote of Patrick Reilly; 172 on the list, 14 on the poll.

Mr. *John V. Crawford*, called; Examined by Mr. *Whitesides*.
Produced the affidavit of registry of Patrick Reilly.

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Thesiger*.

Mr. *Thesiger* stated, that it was not his intention to call any evidence in support of this vote.

The Committee came to the following resolution :—

"That the vote of Patrick Reilly should be struck off the poll."

The next vote objected to is the vote of John Claney.

Mr. *John V. Crawford*, called.
Produced the affidavit of registry of John Claney.

George Gardiner, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

Andrew Johnstone, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Mr. *Whitesides*.] That is our case.

Denis O'Conner, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the vote of John Claney be struck off the poll."

The next vote is that of Patrick Farrell; 83 on the poll, 21 on the list.

Mr. *John V. Crawford,* called.

Produced the affidavit of registry of Patrick Farrell.

George Gardiner, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Thomas Bracken, called; Examined by Mr. *Robinson.*

The witness was ordered to withdraw.

The Committee came to the following resolution:—

"That the vote of Patrick Farrell be struck off the poll."

The next vote is that of Michael Nowlan; 240 on the poll, 188 on the list.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit of registry of Michael Nowlan.

George Gardiner, called; Examined by Mr. *Whitesides.*

Witness was ordered to withdraw.

John Morgan, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*

The witness was ordered to withdraw.

Mr. *Robinson* then objected to this vote being further proceeded with, on the ground that sufficient exertions had not been made to effect a due service of the notice.

Mr. *Wrangham* was heard in answer to the objection.

The Committee were of opinion that due diligence had been used to effect a proper service of the notice.

John Corry, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Wrangham* said, that was his case against the vote.

Robert Wallace, sworn; Examined by Mr. *Robinson*; Cross-examined by Mr. *Whitesides.*

The witness was ordered to withdraw.

The committee-room was cleared; and on Counsel and Agents being called in, they were informed that the Committee had come to the following resolution:—

"That the vote of Michael Nowlan be retained on the poll."

The next vote is that of Oliver Cosgreave; 4 on the list, 39 on the poll.

Mr. *John V. Crawford,* called.

Produced the affidavit of registry of Oliver Cosgreave.

James Ganly, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

John Corry, called; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson.*

The witness was ordered to withdraw.

Mr. *Robinson* submitted, that sufficient diligence had not been used to serve the notice in this case.

Mr. *Wrangham* was heard in answer.

The Committee allowed the objection, and came to the following resolution:—

"That the vote of Oliver Cosgreave be retained on the poll."

The next vote was that of Thomas Cosgreave; — on the list, — on the poll.

Mr. *John V. Crawford,* called.

Produced the affidavit of Thomas Cosgreave, and entry of certificate of registry.

Mr. *Wrangham* observed, that as the same objection with regard to notice applied to the present case as the last, he should not trouble the Committee on it.

The Committee came to the following resolution:—

"That the vote of Thomas Cosgreave be retained on the poll."

Mr. *Wrangham* said, the next vote was that of Patrick Donagher; No. 9 on the poll, 209 on the list of objections.

Mr. *John V. Crawford,* called; Examined by Mr. *Whitesides.*

Produced the affidavit of registry of Patrick Donagher, and entry of certificate of registry.

Mr. *Arthur A. Griffiths,* called; Examined by Mr. *Whitesides.*

William

William Morrison, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.
Mr. *Whitesides* stated that was his case.

Denis O'Conner, called; Examined by Mr. *Robinson*; Cross-examined by Mr. *Wrangham*.
The witness was ordered to withdraw.
The committee-room was cleared.
On Counsel and Agents being called in, they were informed the Committee had come to the following resolution:—
"That the vote of Patrick Donagher be struck off the poll."
The Committee adjourned till Eleven o'clock to-morrow.

Jovis, 4$_{o}$ *die Maii*, 1837.

LORD CLIVE IN THE CHAIR.

THE Names of the Committee were called over; all present.
Mr. *Wrangham* said, "The first vote we object to is the vote of Edward O'Niell; No. 5 on the poll the 1st day, 165 on the list."

Mr. *John V. Crawford*, called.
Produced the affidavit and entry of certificate of registry of Edward O'Niell.

George Gardiner, sworn; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

John Armstrong, sworn; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham*.
Mr. *Robinson* stated, he did not mean to offer any evidence in support of the vote.
The Committee came to the following resolution:—
"That the vote of Edward O'Niell be struck off the poll."

The next vote was that of Hugh O'Niell; 293 on the poll, 167 on the list.
Mr. *John V. Crawford*, called.
Produced the affidavit and entry of certificate of registry of Hugh O'Niell.

George Gardiner, sworn; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.

John Armstrong, sworn; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham*.
Mr. *Robinson* stated, he did not mean to offer any evidence in support of the vote.
The Committee came to the following resolution:—
"That the vote of Hugh O'Niell be struck off the poll."

The next vote was that of Miles Reilly; 173 on the list, 265 on the poll.
Mr. *John V. Crawford*, sworn.
Produced the affidavit of registry of Miles Reilly.

James Ganly, sworn; Examined by Mr. *Whitesides*.
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*.
Witness was ordered to withdraw.

Jacob Wiggins, sworn; Examined by Mr. *Whitesides*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Miles Reilly be struck off the poll."

The next vote was that of Edward Reilly; 168 on the list, 135 on the poll.
Mr. *John V. Crawford*, called.
Produced the affidavit of registry of Edward Reilly.

James Ganly, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Whitesides*.
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Edward Reilly be struck off the poll."

The next vote is that of Patrick Nunnery; 390 on the poll, 164 on the list.
Mr. *John V. Crawford*, called.
Produced the affidavit of registry of Patrick Nunnery.

George Gardiner, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Patrick Nunnery be struck off the poll."

The next is Daniel Kiernan.
Mr. *John V. Crawford*, called.
Produced the affidavit of registry of Daniel Kiernan.

James Ganly, sworn; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Daniel Kiernan be struck off the poll."

The next vote is that of John Reynolds; 35 on the poll, 170 on the list.
Mr. *John V. Crawford*, called.
Produced the affidavit of John Reynolds.

George Gardiner, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of John Reynolds be struck off the poll."

The next vote is *Bryan Sheridan*; No. 64 on the poll, and 178 on the list.
Mr. *John V. Crawford*, called.
Produced the affidavit of Bryan Sheridan.

Mr. *Arthur A. Griffiths*, sworn; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Bryan Sheridan be struck off the poll."

The next vote is that of Peter Reilly; 176 on the poll, 171 on the list.
Mr. *John V. Crawford*, sworn.
Produced the affidavit and certificate of registry of PeterReilly.

George Gardiner, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

Jacob

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Jacob Wiggins, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Peter Reilly be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Dennis Sheridan; 192 on the poll, 180 on the list.
Mr. *John V. Crawford,* called.
Produced the affidavit of registry of Dennis Sheridan.

George Gardiner, called; Examined by Mr. *Wrangham.*
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*; Re-examined by Mr. *Wrangham.*
Witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of Dennis Sheridan be struck off the poll."

The next is the vote of Thomas Fagan; 123 on the list, 226 on the poll.
Mr. *John V. Crawford,* called.
Produced the affidavit of Thomas Fagan.

Arthur A. Griffiths, sworn; Examined by Mr. *Wrangham.*
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham.*
Witness was ordered to withdraw.

Andrew Johnstone, called; Examined by Mr. *Wrangham.*
Witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham.*
Witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the name of Thomas Fagan be struck off the poll."

The next vote is that of James Reynolds; 235 on the poll, 175 on the list.
Mr. *John V. Crawford,* called; Examined by Mr. *Wrangham.*
Produced the affidavit of registry of James Reynolds.

George Gardiner, called; Examined by Mr. *Wrangham.*

John Armstrong, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

The next vote is that of Philip Brady.
Mr. *John V. Crawford,* sworn; Examined by Mr. *Wrangham.*

Produced the affidavit of registry of Philip Brady.

George Gardiner, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

John Wiggins, called; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of Philip Brady be struck off the poll."

The next vote is that of James Glaney; 398 on the poll, 130 on the list.
Mr. *John V. Crawford,* called.
Produced the affidavit of registry of James Glaney.

Mr. *Arthur A. Griffiths,* sworn; Examined by Mr. *Wrangham.*
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham.*
Witness was ordered to withdraw.

Andrew Brock, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of John Glaney be struck off the poll."

Mr. *Wrangham* said, the next was the vote of John Kiernan, of Trumroe; 141 on the list, 112 on the poll.
Mr. *John V. Crawford*, called.
Produced the affidavit of registry of John Kiernan, of Trumroe.

George Gardiner, called; Examined by Mr. *Wrangham*; Cross-examined by Mr. *Robinson*.
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
Witness ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.
The Committee came to the following resolution:—
"That the vote of John Kiernan, of Trumroe, be struck off the poll."

The next vote is that of John Kiernan, of Cloonagh; 143 on the list, 172 on the poll.
Mr. *John V. Crawford*, called.
Produced the affidavit of registry of John Kiernan, of Cloonagh.

James Ganly, sworn; Examined by Mr. *Wrangham*.
The witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of John Kiernan of Cloonagh be struck off the poll."

The next vote is John Reilly; 193 on the poll, 114 on the list.
Mr. *John V. Crawford*, called.
Produced the affidavit of John Reilly of Trumroe.

James Ganly, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

Jacob Wiggins, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of John Reilly be struck off the poll."

The next vote is James Reilly of Ballymore; 256 on the poll, 169 on the list.
Mr. *John V. Crawford*, called.
Produced the affidavit of James Reilly.

Mr. *Arthur A. Griffiths*, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

John Armstrong, called; Examined by Mr. *Whitesides*.
Witness was ordered to withdraw.
Jacob Wiggins, called; Examined by Mr. *Wrangham*.
Witness was ordered to withdraw.

The Committee came to the following resolution:—
"That the vote of James Reilly be struck off the poll."

Mr. *Wrangham* stated, they had now a majority of one on the poll.

Mr. *Thesiger*, on behalf of Mr. White, stated, he withdrew from the contest.

Mr. *Harrison* then asked the Committee to declare Mr. Fox as duly elected, and ought to have been returned.

The

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The committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had agreed to the following

REPORT:—

That Luke White, esquire, is not duly elected a Knight to serve in this present Parliament for the said county of Longford:

That Charles Fox, esquire, is duly elected and ought to have been returned a Knight to serve in this present Parliament for the said county:

That the Petition of Lovell Edgeworth and others did not appear to the said Committee to be frivolous or vexatious:

That the Petition of Charles Fox did not appear to the said Committee to be frivolous or vexatious:

That the opposition to the said Petitions did not appear to the said Committee to be frivolous or vexatious:

That the Committee have altered the poll taken at the said election by striking off Henry Lynch, &c. &c., as not having any right to vote at the said election:

The Committee agreed that the words, "and who ought to be taken off the register of electors of said county," should be struck out:

The Committee have also agreed to make a Special Report; *vide* Minutes of Evidence, 4 May.

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MINUTES OF EVIDENCE

Taken before the COMMITTEE appointed to try and determine the Merits of the ELECTION for the COUNTY of LONGFORD.

Jovis, 13° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

13 April 1837.

UPON the Committee assembling this morning, the Chairman informed them that he had received a letter from Mr. Horsman, one of the Members of the Committee, enclosing two certificates, one from Dr. James Johnson, and the other from Dr. Wilson, stating that Mr. Horsman was so very unwell as to render it highly imprudent and dangerous for him to attend The Committee.

The Committee instructed the Chairman to report the facts to The House, and, after sitting an hour, adjourned.

Veneris, 14° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

14 April 1837.

THE names of the Members were called over; all present.

The Petition of *Charles Fox*, Esquire, against the return of Luke White, Esquire, and praying that the Petitioner might be declared the Sitting Member, was read.

COUNSEL	- -	Mr. *Harrison*. Mr. *Wrangham*. Mr. *Whitesides*.
AGENTS	- -	Mr. *Baker* and Mr. *Thomas Courtney*.

A Petition of *Lovell Edgeworth*, Esquire, and other Electors of the county of Longford, against the return of Luke White, Esquire, was read.

Counsel and Agents as before.

A Petition was read from Mr. *Costelloe*, and other Electors of the county of Longford, who voted for Luke White, Esquire, at the last election, stating that he was duly elected, and as it was not the intention of Luke White, Esquire, to defend his return, praying that they might be permitted to do so.

COUNSEL	- -	Mr. *Thesiger*. Mr. *Austin*. Mr. *Robinson*.
AGENTS	- -	Messrs. *Farrers & Co.* Mr. *Christopher Reynolds*.

Mr. *Harrison* opened the case on the part of the Petitioners against the return.

John Verschoyle Crawford, Esquire, sworn.

Examined by Mr. *Wrangham*.

J. V. Crawford, Esq.

1. ARE you clerk of the peace for the county of Longford?—I am.
2. You have filled that office for several years?—Since the year 1830.
3. You were in that situation at the last election, in the month of December?—I was.
4. Who was then the returning officer?—Sir Percy Nugent,

J. V. Crawford, Esq.

14 April 1837.

5. Did you receive from him, within 21 days of the final close of the poll, on that occasion, the poll-books taken at that election?—I did; I received them the day after the election.

6. Have you brought them with you here?—I have.

7. Have you retained them in your custody from that period to the present time?—Till the present time in my custody.

8. I believe you sealed them up on receiving them?—The high sheriff sealed them at my request.

9. Has that seal or those seals been at any time broken, from the time of that election to the present moment?—It was broken.

10. State to the Committee the circumstances under which it was so broken?—I was obliged to break it in consequence of receiving a Crown summons to produce the poll-books of the last election, at the assizes held for the county of Longford, in consequence of a prosecution that was likely to ensue there of a person who had voted.

11. That was some information for perjury?—Yes.

12. Did you then attend, on that occasion, at the assizes with the poll-books?—Yes.

13. Were those books then taken before the grand jury?—They were.

14. Will you tell the Committee under what circumstances the seal was broken, and under what circumstances, if any, the seal was subsequently affixed?—It was broken in consequence of receiving that summons, calling on me for a certificate of the time when a man of the name of Samuel Murphy voted, and I could not give it without opening the books.

15. Were they at any time out of your possession?—Never out of my possession, except under lock and key, locked up.

16. They were under your own lock and key?—They were.

17. Now, after having been broken, were they ever sealed up afterwards?—They were never sealed up afterwards.

18. Do you mean then that you kept them not sealed, yet under your lock and key?—Certainly.

19. Has that custody remained in that state from that time to this?—Yes, to the present time.

20. Were they, at the time they were delivered to you by Sir Percy Nugent at the close of the last election, verified by his oath or affidavit?—They were.

21. I do not know whether you have the affidavit here; if you have, will you be good enough to produce it?—It is here, sir.

22. Is that the affidavit which Sir Percy Nugent then swore?—Yes, that is the affidavit; I was present when it was sworn.

Mr. *Thesiger*.] I will admit it is the usual affidavit.

23. By Mr. *Wrangham*.] Have you then, sir, since you received the books from Sir Percy Nugent, kept them carefully among the records of the county?—I kept them carefully.

Cross-examined by Mr. *Thesiger*.

24. Just tell me, when you received the summons to take the books to the assizes, did you immediately break the seal?—No; the summons was not to take the books to the assizes, but to give a certificate of the time the voter voted, and to attend the assizes from day to day; I have the summons with me.

25. And on receiving that summons, you broke the sheriff's seal for the purpose of making the search?—Yes, I did.

26. Did you take the books to the assizes?—I did so.

27. How long after you had broken the seal was it before you took them to the assizes?—I broke the seal the day I received the summons, a few days before the assizes. The summons is dated the 24th February and the assizes were the 28th, and I take it for granted I broke the seal the day the summons bears date.

28. You broke the seal the day the summons bears date, and you kept the books with the seal broken until the assizes?—Yes, till the assizes.

29. And then you took them to the assizes?—I did.

30. Whereabouts did you keep the books, between the time of breaking the seal and carrying them to the assizes?—I kept them carefully locked up.

31. Whereabouts?—In my house.

32. Your private house or your office?—My private house.

33. In

33. In a desk, or what?—Not in a desk; in a box with a very good lock to it.
34. Was there more than one key to that box?—Certainly there was not.
35. You have clerks, of course, in your office?—I have a clerk.
36. Had he access at any time to that box?—Never.
37. You are quite sure of that?—Not to this box, certainly not.
38. What besides these books did you keep in that box?—Various private papers of my own; I cannot exactly say what.
39. They were your own private documents, whatever they were?—Yes, they were.
40. Have you an office?—I have.
41. Whereabouts is your office; is it attached to your private residence?—No, it is in the town of Longford, opposite the court-house.
42. Not attached to your private residence?—No.
43. You have the custody of the records of the county as clerk of the peace, of course?—I have.
44. You kept these in your office, of course, as clerk of the peace?—Some I kept at the office in Longford, and others in the house.
45. Pray, after you took them to the assizes, where did you keep them?—I kept them in the office during the assizes.
46. The assizes were in the town where your office was?—Yes.
47. You removed them from your private residence to your office?—Yes.
48. Where were they kept during the continuance of the assizes?—Not in the office, but under my custody in the court.
49. Whereabouts are they placed in the office?—In the desk.
50. Was that an open desk?—No.
51. Who had the key of that desk?—I had it during that time.
52. The whole time?—During the whole time those books were in it.
53. Did you receive it from your clerk, or what?—It was a desk used by my clerk; and on locking these books in it, I took the key, and kept it until I removed them from that desk.
54. And then you carried them back to your private residence?—I did.
55. And put them back in the same box where they had been deposited before?—Yes.
56. Till you brought them here?—I did.
57. Has any body had access to those books for the purpose of examining them?—They were examined in my presence.
58. Who examined them?—Mr. Reynolds, the agent of Mr. White.
59. Did the agent for the other party examine them at all?—No.
60. Nobody but the agent of Mr. White?—Yes.
61. How long did the examination by that gentleman continue?—Not more than from five to ten minutes.
62. And were you present during the whole time of the examination?—Certainly; with the book before me on the desk.

Mr. *Wrangham* then proposed to put in the poll-books, and Mr. *Thesiger* stated he should not raise any objection to their admissibility.

The three poll-books were then put in.

Mr. *Wrangham* then proposed to strike off the poll the vote of Henry Lynch, being one of two votes comprised in the first class, which contains the names of two persons whose votes had been adjudicated upon, and had been determined by a Committee of the House of Commons, on the trial of a petition complaining of an undue election and return for the said county of Longford, to be bad votes, and had been reported as such to the House of Commons, and whose names had been removed from the registry in obedience to the warrant of The Speaker, issued in pursuance of a resolution of the House of Commons, but who, nevertheless, voted at said election for the Sitting Member.

Mr. *Thesiger* took a preliminary objection to going into that question at all upon these two votes, on the ground that there was no valid objection stated to these votes in the heading of the class, according to the provisions of the two Acts of Parliament of 42 Geo. 3, c. 106, s. 3, and the 47 Geo. 3, c. 14, s. 4, by which the parties are required to state specifically the objections to the votes which they seek to invalidate.

J. V. Crawford, Esq.

14 April 1837.

Mr. *Wrangham* was heard in answer to the objection, and contended that the heading of the class was quite sufficient to give all the necessary information.

Mr. *Thesiger* replied.

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the notice given in class No. 1. is sufficient to enable the parties to proceed to the further examination of Henry Lynch's vote."

Mr. *J. V. Crawford*, re-called.

Examined by Mr. *Wrangham*.

63. You told me you had been clerk of the peace for some years for the county of Longford?—Yes.

64. Were you so at the time of the last Election Committee which sat to decide on the petition as to the election for that county?—Yes, I was.

65. Did you, after the sitting of that Committee, receive a warrant from Mr. Speaker?—I did.

66. Have you got that warrant?—I have.

67. Produce it, if you please?

[*The following Document was then put in, and read:*]

Martis, 11° *die Junii*, 1833.

WHEREAS the House of Commons have this day resolved, "That in all cases where a Select Committee appointed to try the merits of an election for any county, city or borough, report to the House that they have altered the poll by adding or striking out the names of any voters on such poll, The Speaker shall issue his directions thereupon to the clerk of the peace, town clerk or other officer (as the case may be) with whom the register of the voters of such county, city or borough is deposited, to alter and amend such register by striking out the names of such voters as have been struck off the poll, and by adding such names as have been added to the poll by such Select Committee."

I do hereby direct you to proceed accordingly, transmitting herewith, for your further direction in that behalf, the report of the Select Committee appointed to try the merits of the last election of knights of the shire to serve in Parliament for the county of Longford.

Given under my hand the 11th day of June 1833.

Charles Manners Sutton, Speaker.

The Clerk of the Peace or other proper Officer for the County of Longford.

68. Do you find, among the names which that warrant directs you to strike off the register, the name of Henry Lynch?—I do.

69. Did you, in pursuance of that order, strike that name from the register?—I did.

70. Is there on the register of voters the name of Henry Lynch?—There may be in a register of 1,500 or 1,600 voters the name of another Henry Lynch.

71. The *Committee.*] The Henry Lynch whose name you were ordered to strike out, did you strike out that name?—I did.

72. Mr. *Wrangham.*] Will you point out on the register the place from where you struck out his name?—I will; Henry Lynch, of Clooneen.

73. What barony is that?—The barony of Granard, No. 1286.

74. You cannot undertake to say there is not another person of that name on the register?—Indeed I could not, without going over it.

75. Can you tell me whether in that barony there is?—No; because this is a general record of the county.

Mr. *Wrangham.*] If my friend does not admit the absence of the name from the register, I must request the witness to look over the register.

Mr. *Thesiger.*] I do not admit The Speaker's warrant authorized him to strike out the name of Henry Lynch, of the barony of Granard; it gives merely the name of Henry Lynch.

Mr. *Wrangham.*] The Speaker's warrant directs him to strike out the names mentioned in the report of the Select Committee.

76. Mr.

76. Mr. *Wrangham.*] How came you to strike the name of Henry Lynch, in the barony of Granard, on receiving a Speaker's warrant, directing you to strike the name of Henry Lynch simply?—Because, at the time I received that warrant, I had documents in my possession which proved to me——

J. V. Crawford, Esq.

14 April 1837.

Mr. *Thesiger* objected to the witness referring to documents in his possession which were not produced before the Committee.

77. The *Committee.*] Is not the clerk of the peace obliged by the Act of Parliament to keep an alphabetical list?—Not of the record, but of the barony books; this is the general register; the barony books are an alphabetical copy; this is the original registry book.

78. Mr. *Wrangham.*] I must now trouble you to look at the documents in your hand, and examine the register of the county, and tell me whether there is any other person bearing the name of Henry Lynch on the register?—There was no Henry Lynch at that time on the record but that one.

79. I understand you to describe him as Henry Lynch, of Clooneen, of the barony of Granard?—Yes.

Mr. *Wrangham.*] Now I put in the poll-book, to show that Henry Lynch, of the barony of Granard, voted at this election for Mr. Luke White.

[*The Poll-book was put in.*]

80. Have you the register of this year, the existing register?—Yes, I have, of every man registered in the county.

81. Now I must trouble you to tell me whether Henry Lynch, of Clooneen, in the barony of Granard, has been since that put on the register?—No, he has not.

Mr. *Thesiger* stated, he thought the case was complete against that vote, and he should not therefore support it.

The vote of Henry Lynch was then struck off the poll.

Mr. *Wrangham.*] I now propose to strike off the vote of James Sheridan, of Drumard, of the barony of Longford.

82. Do you find his name mentioned among those which you are directed to strike off by the Speaker's warrant?—I do.

83. Did you strike him off as in the former case?—Yes.

84. Has he since re-appeared upon the register?—He does not appear to have been registered since.

85. The *Committee.*] His name does not appear on the register?—His name was on the register in 1832; but he is now struck off, and has not been registered since.

Mr. *Wrangham.*] In the Poll-book there is No. 367 on the poll. James Sheridan, of Drumard, barony of Longford, voted on the 30th December, the fourth day of polling, for Mr. Luke White. I suppose my friend will give up that vote also, as it rests on the same ground.

Mr. *Thesiger.*] Yes.

The vote of James Sheridan was then struck off.

Mr. *Wrangham.*] The vote I now propose to strike off is the vote of Michael Reynolds, of Tenelough, in the barony of Abbyshrule, which is included in the third class, which contains the names of 242 persons who were permitted to vote for the Sitting Member at said election, but whose names ought to be struck off the poll and register; for that the property in respect of which such persons respectively sought to be registered as voters of said county, and were registered, and by virtue of which they voted at said election, was not of the nature and value prescribed by said Act of 2 & 3 Will. IV. c. 88, inasmuch as said property was not of the clear yearly value of 10*l.*, over and above the rent and charges payable out of the same, as required by said Act; and for that the qualification described by the said several voters in their respective affidavits made by them was not *bonâ fide* of the clear yearly value of 10*l.* each, over and above all rent and charges payable out of the same, as required by said Act of 2 & 3 Will. IV. c. 88; property in respect of which said persons were respectively registered and voted was not, at the time they so voted, of

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of the nature and value prescribed by the said Act of 2 & 3 Will. IV. c. 88.

Mr. *Wrangham* then stated, that it would be for the convenience of the Committee that the objection which was intended to be raised to opening the register should now be taken.

86. Will you produce the affidavit as to the registering a person of the name of Michael Reynolds?—I will.

[*The following Affidavit was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835, I, Michael Reynolds, of Tenelough, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any town-land or division of any parish or barony lying and being at Tenelough, in the barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 4th day of June in the year 1824; and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Mich^{l} *Reynolds.*

Sworn and subscribed before me, in open court, this 6th day of April 1835.

C. Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Michael Reynolds, of Tenelough, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Tenelough, barony of Abbyshrule, in this county.

Dated this 6th day of April 1835, at Ballymahon.

C. Geo. French, Assistant Barrister.

Certificate, No. 1503. *John V. Crawford*, Clerk of the Peace.

Mr. *Wrangham.*] It appears by the Poll-book that Michael Reynolds, of Tenelough, in the barony of Abbyshrule, in the county of Longford, voted as a freeholder of 10 *l.*, No. 160, on the 28th December, the second day's poll, for Mr. Luke White.

Mr. *Thesiger* then objected to Mr. Wrangham's being allowed to go into the consideration of the qualification of any person who had duly registered under the Irish Reform Act, and submitted to the Committee that the register was conclusive to all intents and purposes upon the Committee under the provisions of the Irish Reform Act; and in support of his position referred to different clauses of that Act, and to the English and Scotch Reform Acts, and to the decision of the House of Commons in the following cases, to be found in Perry & Knapp's Reports; namely, the Longford, Galway, Carlow, Coleraine, Clonmel, Monaghan, Cork county, Youghal, Dublin, Petersfield, Bedford and Linlithgow; and also to the cases of *ex parte* Lowe, *ex parte* Benson and *ex parte* Hinton, in which a similar construction had been put on the new Bankrupt Act to that which he contended ought to be put on the Reform Act.

Sabbati, 15° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present. 15 April 1837.

Mr. *Wrangham* was heard in answer to the objection taken by Mr. Thesiger, and contended that the right which the Committee possessed of opening the registration before the Reform Act passed was not taken away by that Act; and that the cases referred to under the new Bankrupt Act did not apply, inasmuch as that Act and the Irish Reform Act were not analogous to each other; and in support of his argument referred to Viner's Abridgment Statutes, page 525; first volume of Blackstone's Commentaries, page 89; to the judgments of Lord Ashurst and Lord Kenyon in the case of Shipham *v.* Henbury, in Durnford and East's Reports, p. 114; to the Introduction to Serjeant Glanville's Book, page 41; to the Preamble and Clauses of the Grenville Act; and to the English, Irish and Scotch Reform Acts.

Mr. *Thesiger* was part heard in reply.

Lunæ, 17° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present. 17 April 1837.

Mr. *Thesiger* was heard in continuation of his reply.

Mr. *Wrangham* was heard in explanation.

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman the Committee had come to the following resolution:—

"That the Counsel do now proceed to the examination of such votes as were objected to at the time of the registration."

Mr. *Wrangham*.] The vote we now object to is the vote of Michael Reynolds.

Mr. *George Gardiner*, sworn.

Examined by Mr. *Wrangham*.

87. DID you attend at the registry for the county of Longford in April 1835? —I did. Mr. *G. Gardiner*.

88. Did Michael Reynolds of Teneleough claim to be registered?—He did.

89. Was any objection by any person taken to him?—There was.

90. The *Committee*.] Before whom was the objection taken?—The assistant barrister.

91. Mr. *Wrangham*.] Do you remember that gentleman's name?—Yes, I do.

92. What was it?—George French.

93. You say it was before Mr. French, the assistant barrister?—Yes.

94. Was there a cross-examination of the claimant?—There was.

95. And was evidence gone into on the subject?—Yes; the witnesses were cross-examined by counsel, Mr. Thomas Lefroy.

96. The evidence was given, and the witnesses cross-examined by Mr. Lefroy? —Yes.

97. And this was before the assistant barrister?—Yes.

Mr. *Robinson* then objected that this evidence was not sufficient to show that Mr. Thomas Lefroy was authorized to take the objection.

Mr. *Wrangham* was heard in answer to the objection.

17 April 1837.

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the fact of the objection being allowed by the assistant barrister to be gone into was sufficient evidence to the Committee that the objection was duly authorized."

Mr. *George Gardiner*, re-called.

Examined by Mr. *Wrangham*.

Mr. G. Gardiner.

98. You stated that this objection was gone into?—I did.

99. I need hardly ask you whether Reynolds, the voter, was not examined?—He was.

100. What rent did he say he paid?—Twenty-one pounds nineteen shillings a year for 13 acres 2 roods and 20 perches Irish statute measure; the barristers always take the value by Irish statute measure, though the leases in some instances do contain English statute measure.

101. Can you tell us what the quantity is in English statute measure?—Twenty-two acres English and 17 perches.

Cross-examined by Mr. *Robinson*.

102. Were you present during all the time of the registration?—I was.

103. How many were objected to, that came to vote for the Sitting Member?—The registry was held in two divisions.

104. You was present?—I was there at the registry for Ballymahon.

105. And how many were objected to there, do you know?—Every one that sought to claim was objected to.

106. Do you know this property of Michael Reynolds?—I do know it.

Re-examined by Mr. *Wrangham*.

107. I understood you to say that all the votes at that registration in April were objected to in Ballymahon?—They were.

108. My friend has asked you whether you know the farm?—I do know it.

109. Having a knowledge of this farm, what sort of farm is it?—If you wish me to be examined as to the value, I will tell you; but there are other valuers who can state it more correctly.

Mr. *Wrangham*.] I shall not trouble you as to that.

[*The Witness was ordered to withdraw.*]

Matthew Shaw, sworn.

Examined by Mr. *Whitesides*.

Matthew Shaw.

110. WHERE do you live?—In the county of Longford.

111. What are you?—A farmer.

112. Do you hold much land yourself?—About 200 acres.

113. Are you acquainted with the value of land in that county?—I am.

114. Do you know the value of land in the barony of Abbyshrule?—I know most part of the whole barony.

115. Do you know a farm held by one Michael Reynolds, of Teneloughy, in the barony of Abbyshrule?—I do.

116. Did you value that farm and inspect it?—I have been acquainted with that farm thirty years; it is just in the neighbourhood with me.

117. Will you describe to the Committee what kind of farm it is?—There is a great deal of it low wet land, and but little of it good.

118. Is there a house on it?—There is.

119. What kind of a house?—It is an indifferent house, very indifferent, going to decay.

120. Is it slated?—By no means.

121. What is the land worth an acre?—The value of it is 1*l.* 12*s.* 6*d.* an acre.

122. Do you happen to know the actual rent that Reynolds paid?—No, I do not know it.

123. I would

123. I would ask you whether or not, in your judgment, it is worth more or less than that?—I think 1 *l.* 12 *s.* 6 *d.* an acre is as much as it is worth.

124. Do you think a solvent tenant would give any thing more for it?—I do not think a solvent tenant would give a shilling more for it, in my opinion.

125. Is that the English acre or the Irish acre?—The Irish acre.

Cross-examined by Mr. *Robinson.*

126. What does the land usually let at per acre, the adjoining land?—Some land lets even lower than that which joins it, with only a ditch between them.

127. Do you know Cox's land?—Yes.

128. Is that near?—I suppose it is about a mile from it.

129. Cannon's?—Yes, I do.

130. Kearnan's?—No, I do not know Kearnan's land; I know there is a man of the name of Cannon, whose land joins this.

131. Do you know what other land lets for an acre?—I know what Cannon's land lets for.

132. What does that let for?—Forty shillings an acre.

133. Do you know what Kearnan's land lets for?—I do not know Kearnan; I know there is a man of the name of Kearnan, if you will tell me the place; I do not think he is a freeholder.

134. You know his land?—I know there is a man of the name of Kearnan who has a farm within about a mile of that.

135. What does he let it for?—I believe it is 2 *l.* 10 *s.*; if it is Kearnan's land, it is on the land of Ardandra.

136. What is the general rent at which it lets for, the average; you say you know some that lets for less than that, and some for more?—I do not know any that lets for more than 2 *l.* 10 *s.*; that is the highest I know; that is the highest I can call to my recollection.

137. How is the land occupied by Kearnan, in what way?—He farms it by tillage and grazing.

138. Does he live with his family in the dwelling-house?—He does.

139. What family has he?—I cannot say how many children he has.

140. He has children?—Yes.

141. Does he support all of them out of the farm?—He supports himself by labour one way or the other; I cannot say whether out of the farm or not.

142. By the *Committee.*] Can you not tell me whether he has other means of support?—Nothing except labour; he may labour for other people; he has one or two sons.

143. Do you know that he does get any thing by labour?—I do not of my own knowledge.

144. As far as you know, has he any means of supporting his family excepting his farm?—I do not know.

145. By the *Committee.*] You do not know the number of children?—I do not know the number of children.

146. By Mr. *Robinson.*] What tax does he pay?—I do not know.

147. The county rates?—The county rates vary much; they will be double as much in one case as they will in another case; what the rate is in that town I do not know.

148. What Reynolds pays you do not know?—No; as to his taxes or rent I know nothing at all about them.

149. By the *Committee.*] How long have you known Reynolds?—I have known him many years; before he was a man at all, I knew him.

150. How many years has he lived on his farm?—I do consider he was born on it.

151. Do you know whether he has a lease, or a term of it?—I cannot tell how he holds it; as to his having a lease, I am unacquainted with it.

152. You think he was born there?—I do; I am sure of that.

153. You are quite sure he has lived there many years?—Yes, for a number of years.

154. Upon the farm?—Yes.

155. Have you heard him give an opinion as to what the value of it is?—I have never had any conversation with him upon it.

156. On the farm he lives?—Yes.

157. And his children?—Yes, and his children also.

 158. You

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158. You infer from that, that a lease of it is of considerable value to the occupier?—That is according to the rent he pays; I do not know what rent he pays.

159. He lives there?—Yes.

160. And his family?—Yes.

161. If he has a term in it, that increases the value?—That is all owing to the rent to consider what value it is.

162. Mr. *Robinson.*] Has Reynolds lived on the farm during all the time you have known him?—He did.

163. Has he voted before for this county?—I do not know.

164. Do you not know who voted in your township or barony?—I do not know a tithe of those who voted.

165. Do you not on your oath know whether Reynolds voted for the election at Longford?—Never, except the last one.

166. You do not know whether he did or not?—I do not know.

Re-examined by Mr. *Whitesides.*

167. You have been asked about land at Ardandra?—Yes.

168. You say that that is higher rent, more than 1*l.* 12*s.* 6*d.*?—I believe Keenan pays 2*l.* 10*s.*

169. Is there any difference between Keenan's farm and Reynolds's farm?—The greatest that can be as to the quality of the land.

170. Would you rather pay 2*l.* 6*s.* for Keenan's farm, or 1*l.* 12*s.* for Reynolds's?—If you put it to my choice, I would rather take the land at 2*l.* 6*s.* than the land at 1*l.* 12*s.*

171. You have been asked about Cannon's farm?—Yes.

172. What kind of land is that, better or worse than Reynolds's?—There is a part of Cannon's farm the most superior land in the county.

173. It is not dear at 40*s.* an acre?—Not the least; and there is a very excellent house upon it.

174. It is not an excellent house that Reynolds lives in?—No, it is very far from it.

175. You think that the rent of 1*l.* 12*s.* 6*d.* is the full value of the farm?—I do consider it.

176. And you think Cannon's land is worth 40*s.* an acre?—I do.

177. And that it is some of the best land in the county?—Part of it is the best land in the county.

178. Keenan's lets for 50*s.*?—Yes, it does.

179. Is that some of the best land in the county?—No, not so good as that which lets for 40*s.*

180. That which lets for 50*s.* is not so good as that which lets at 40*s.*?—No.

181. Your calculation is in Irish acres?—Entirely Irish acres.

[*The Witness was ordered to withdraw.*]

Robert Cox, sworn.

Examined by Mr. *Whitesides.*

Robert Cox.

182. WHERE do you live?—I live in a place called Agher, in the county of Longford.

183. What barony is that in?—Abbyshrule.

184. Do you hold any land in your own hands?—I do.

185. How much?—About 250 acres in my own hands.

186. Are you well acquainted with the value of land in the barony of Abbyshrule, in the county of Longford?—I am.

187. You are a farmer by business?—Yes.

188. Do you know a farm held by Michael Reynolds, in the barony of Abbyshrule?—I do.

189. Have you been over it?—Yes.

190. Have you examined it?—Yes, examined it.

191. What sort of a house is there upon it?—An indifferent thatched house.

192. What kind of land is it?—A little of it is pretty good, and part is with bottom and part with tail.

193. What do you mean by that?—I mean where it is land that has not been reclaimed and inclined to water.

194. What

194. What do you think the value of that land is per acre?—One pound twelve shillings and sixpence.

195. Is that the full value of it?—That is the full value.

196. Will you undertake to swear that that is the highest value that any tenant would pay for it; 1*l.* 12*s.* 6*d.*?—I will; any tenant who would expect to pay the rent.

197. Do you think a solvent tenant would give 10*l.* per year more for it?—I think not.

Cross-examined by Mr. *Robinson.*

198. When did you examine the land?—On the 14th of February I commenced my examination.

199. Do you live near Reynolds?—Not a mile and a quarter from him.

200. Are you well acquainted with him?—Yes, sir, and have known the land a long time.

201. Is his a large family?—He has a good many children; some of them went to England; I am not particularly acquainted with his family.

202. Does he support them out of his farm?—I cannot say how he supports them.

203. Do you know of his having any other means of supporting them?—I know of his making the roads there; a new road his sons were employed in making; I saw them at it.

204. When were they engaged in that way?—About a year ago.

205. Generally, I suppose, he has no other means of supporting them, except the farm itself?—I cannot say how he supports them.

206. You know nothing of his having any other employment but this piece of road-making?—I cannot say what he was employed at; I never looked after him to know what he was at.

207. What part of the land is it you called pretty good?—Opposite the house.

208. How much?—I think there is about a third of it bad, not so good as the rest.

209. Do you comprehend all that one-third under the head of tail?—What I call bottom part.

210. You never recollect any part of it being let, in point of fact, to nother person?—No, I do not.

211. Can you tell me what the average value of land is about it?—I inquired into the average value of land.

212. According to your own judgment, what would be about the average value of land there?—If the land is good it is valued high; when it is bad it is valued low.

213. How did you get your average then; you say this land is worth 32*s.* 6*d.* per acre; how did you get this average; what made you fix it at 32*s.* 6*d.*?—By talking it over, and putting together what we considered to be the fair price, the best possible price that we could fix it at.

214. Did you, in your own mind, fix the value on that which you called the good land?—I did not immediately do it.

215. Did you do it?—I did not.

216. Did you take in the whole farm, by looking over the good and bad, and take the average price that the farm was worth so much, and you would give no more for it?—I did not fix the value of what I thought the best land.

217. Did you fix the value of that which you thought the worst part of the land?—No.

218. You came to the general conclusion that the good and bad together was worth 32*s.* 6*d.* an acre?—Yes, I took land myself in the place; I did not go and value the bad and good; I bid for the farm and took it.

219. The *Committee.*] Who desired you to value the farm?—Mr. Fox sent to me to request that I would go and value the land.

220. Which Mr. Fox was that?—Young Mr. Fox, the nephew of the candidate for the county.

221. Mr. Fox asked you to value it?—Yes; I refused to go at first, and I was applied to again, and went then.

222. Then you did value it at the desire of Mr. Fox?—At the desire of young Mr. Fox.

223. Who paid you for that valuation?—No one.

224. Do you expect to be paid?—I do not.

225. Then you did it voluntarily?—I was sent for to do it, but I expect nothing for it.

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226. You did it at the request of Mr. Fox?—Young Mr. Fox.

227. Are you a valuer of land by profession?—I am not, I am only a farmer and grazier.

228. You were asked twice to value the land?—I was.

229. Both times by Mr. Fox?—Not by Mr. Fox; he applied to me first, and I refused him, and then Mr. Shaw came to me and said, "Mr. Fox requested I would go and value."

230. Who is Mr. Shaw?—The man who was examined before me as a witness.

231. Is it common in Ireland for persons to value lands without payment for their trouble?—I have valued lands before without any payment; I was appointed by commissioners to value land before.

232. If you advertised through the county of Longford that you valued for nothing, you would have plenty of employment?—I did value land before, and got nothing for it.

233. Did you go with Mr. Shaw to value this land?—I did.

234. Was it he or you, or both together, who fixed the value at 1*l.* 12*s.* 6*d.* per acre?—We went together on some days, and other days I could not attend; there was one farm I did not go with him on.

235. Who fixed the value; did you or Mr. Shaw fix the value at the 1*l.* 12*s.* 6*d.* an acre, or did both join?—Every man kept a book; then we asked each other to say what was the value of this and that, and then we agreed upon it.

236. When you came to meet with your books, did you find that you agreed so entirely that there was not any difference between you; did you agree together?—On this farm we had no difference; I think so; we had difference in other farms.

237. When did you value it?—I cannot say; since the 14th of February.

238. Is that since the election?—Yes.

239. Do you mean to say that this valuation, which happens to agree with the witnesses just examined, you did not communicate to them what it was?—We stated what the value of the house was, and so on, and we agreed on it.

240. The value you put on this farm, would you have taken the farm at the same rent if you had wanted the farm?—I would not have taken it at that rent.

241. Not at 1*l.* 12*s.* 6*d.* an acre?—No.

242. You would not give that for it?—I would not.

243. Then why did you value it at that?—Because I knew that if a man wanted a small farm he would go higher than I would.

244. Would he be a solvent tenant?—I think any man taking it, it was the highest penny that any man would give for it.

245. When you value land, do you not value it according to what you think a person ought to give for it?—I valued it at what I thought was the highest price any man would give for it; I might have valued it a little over the fair value; it would not suit me.

246. By Mr. *Whitesides.*] You said you were employed by commissioners to value land; by what commissioners were you appointed?—There was a difference as to a farm upon a lawsuit, a family lawsuit, and I was appointed one of the persons to value it.

247. You say that you valued a farm before; did you value this farm in the same way as the other farms, as fairly?—Exactly the same.

248. By Mr. *Robinson.*] What were the farms in respect of which you did not join with Mr. Shaw as to value?—I cannot say the farms; there are some of the farms that were not returned.

249. How many farms did you value with Mr. Shaw?—I think 23 or 24.

250. In about how many of them did you and Mr. Shaw differ?—Not more than one or two.

251. Will you swear that there were not more than two in which you differed?—No; because we both looked over the farms.

252. Will you swear that there were not more than two in which you differed with Mr. Shaw?—I think not more than two or three; I will swear not more.

253. Was that at the beginning of the valuation with Mr. Shaw, or at the end of it?—I think at the latter end of it.

254. The two or three in which you differed was about the latter end of the valuation?—Yes.

255. Can you not recollect one single instance in which you differed with Mr. Shaw?—A man of the name of Hagan; he is not here; we did not return him.

256. Not

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256. No one you did return you differed about?—Not one.

257. You only returned those you agreed upon?—Certainly.

258. Whom do you rent under yourself?—Mr. Mallone, of Westmeath, a place called Thirs.

259. In Longford?—Mr. Wilder.

260. Are you employed in any other way under Mr. Fox?—Not one employment; I never had any employment from Mr. Fox, never.

261. Have you any objection to state what you pay for the land yourself, for the 250 acres, the actual rent?—I cannot tell exactly; I pay 40*s.* an acre for some land, and only 1*l.* an acre for more.

262. Do you pay 50*s.* for any?—No; I have 106 acres for 200*l.* a year, and a slate house on it two stories high.

263. How is the land you pay 40*s.* an acre for; better or worse than Reynolds's farm?—Entirely better than it.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, sworn.

Examined by Mr. *Whitesides.*

Andrew Johnstone.

264. WHERE do you reside, sir?—In the county of Longford.

265. Are you acquainted with the value of land in that county?—I am.

266. Do you know the farm held by Michael Reynolds, in the barony of Abbyshrule?—Yes.

267. Tell the Committee what kind of farm it is?—There is a great deal of it moorland, and some upland; the upland is tolerably good, but the part which is moorland is irreclaimable, in consequence of the river which borders it being nearly as high, not being sunk.

268. Will you state to the Committee what, in your judgment, is the value of that farm by the acre?—I should state that 33*s.* is a high rent for it.

269. Do you think a solvent or responsible tenant would give 10*l.* more for it?—I do not think he could pay it.

Cross-examined by Mr. *Robinson.*

270. Where do you live?—At Carboy, in the county of Longford.

271. How far from the farm you spoke of?—Between five and six miles.

272. Did you go over the farm to make the valuation?—Not to make the valuation; I did not.

Examined by the *Committee.*

273. Do you live near this farm?—Within five or six Irish miles.

274. That is a considerable distance?—Yes.

275. How came you to know the farm so well?—I have a general knowledge of that part of the country.

276. Only from general knowledge?—I have a general knowledge of the neighbourhood.

277. Have you walked over this farm?—I cannot say that I did.

278. How did you form your opinion?—By riding round it, and over it and on it.

279. What do you consider the average value of land in that part of Ireland?—I think about 30*s.* an acre.

280. You have a farm yourself?—I have.

281. May I ask you what you pay per acre for that?—Seventeen shillings and sixpence for one, and 31*s.* for another.

282. Whose land is that?—Sir George Featherstone's.

283. You pay nothing higher than 31*s.*?—Nothing higher, and it is considered some of the best land in the county.

284. Is your lease an old lease of considerable standing?—One is, and the other is not.

285. How long?—I have the last farm not two years in my possession.

286. What, the former one?—That was held by my father.

287. Which is the higher rent?—The late taking.

288. Did you, in the last instance, value the farm; were you desired to do so?—I was not.

Andrew Johnstone.

17 April 1837.

289. You never properly valued it; you did not go for the purpose of valuing it?—No, merely from my own observation.

290. Having made the observation, you are competent to form an opinion that it was not worth more per acre than 30 *s.*?—I say that 33 *s.* is a high rent, from the nature of the soil.

291. Do you consider your 31 *s.* 6 *d.* land better than any land on this farm?—I cannot say better than any land; the upland attached to the farm is pretty good.

292. Is it as good?—Fully as good.

[*The Witness was then ordered to withdraw.*]

Mr. *Whitesides* then stated that was his case.

Robert Wallace, sworn.

Examined by Mr. *Robinson.*

Robert Wallace.

293. WHAT profession or business do you carry on?—A farmer at present.

294. Where?—In the neighbourhood of Ballymahon, about a mile from Ballymahon.

295. Are you acquainted with the value of land in the barony of Abbyshrule?—Yes, I have viewed land in the barony of Abbyshrule.

296. Do you hold land there yourself?—I do.

297. Are you acquainted with the farm of Michael Reynolds, at Tenelough?—Yes, I am.

298. Have you gone over it for the purpose of making a valuation?—I have.

299. When?—In last February.

300. Did you make a careful valuation of the farm?—I have.

301. Taking it all the way round, what do you say it is worth per acre?—I think upon an average from 2 *l.* 6 *s.* to 2 *l.* 8 *s.*

302. By the *Committee.*] An Irish acre?—Yes, an Irish acre.

Cross-examined by Mr. *Whitesides.*

303. You say you are a farmer at present?—Yes.

304. How long have you been a farmer?—Eight years.

305. When did you take your last farm, the farm you have now?—In May last.

306. From whom did you take that farm?—It is the property of Colonel White.

307. Had you a farm before you got that in last May?—My brother and I had one.

308. Had you an interest in it?—Yes, I had; I paid half the rent of it.

309. How large was that farm?—About 40 acres.

310. Did you follow any other business at that time except farming?—I surveyed land.

311. You held the chain while your brother surveyed?—Certainly not.

312. Is your brother a surveyor?—He is.

313. Did you serve your time to be a surveyor?—I did.

314. Where do you live now?—At A——.

315. Where the farm is you got last May?—Yes.

316. What rent do you pay for it?—Thirty shillings.

317. In the same county?—Yes, the same barony.

318. Colonel White gave it to you for 1 *l.* 10 *s.* per acre?—I bought the man's interest who held it at the time.

319. Who was the man whose interest you bought?—Thomas Higgins.

320. You bought his interest?—Yes, I did.

321. What did you pay him for it?—Four hundred pounds.

322. What is the extent of it?—One hundred and twenty-seven acres, three roods.

323. What lease have you got of it?—For three lives, or 31 years, and 12 years of the time expired.

324. Is that land better or worse than Reynolds's?—There is a good deal of it better than my land.

325. Is this better or worse than the land of Reynolds; is the land you purchased

purchased better or worse?—I do not think it is all; I think about ten acres of Reynolds's land is quite as good as mine, if not better.

326. I ask you, taking the whole farm into consideration, on your oath, is his better or worse land than yours; taking into account the entire of Reynolds's farm, is it better or worse than your land?—I think it is better.

327. You are sure it is better?—Yes, I am; there is good and bad of mine, and a good deal of bottom in Reynolds's, but some of his is very good.

328. Are you quite sure that Reynolds's farm is better than yours or not?—I think it is fully as good, if not better.

329. You say it is as good, if not better; is it as good or better, now?—I think of the two it is better.

330. Then, if he pays only 1*l.* 12*s.* 6*d.* an acre for it, he has a dead bargain?—I think so.

331. And he could get 30*l.* or 40*l.* more for it?—I think he could 10*l.* a year more for it.

332. Why do you say 10*l.*?—Because I know he has sworn to a 10*l.* freehold, and I think it is worth more than 10*l.* a year to him.

333. Over and above the rent?—Yes, I do.

334. Is it worth 20*l.* more?—I will not say 20*l.*

335. Is it worth 15*l.* more than the rent?—I think it might.

336. Would you give that for it, according to the value of land in the county of Longford?—I would not take a small farm at all.

337. Suppose you wanted a small farm, would you give 15*l.* a year more for it?—I think it would be worth 15*l.* a year more.

338. Would you yourself give 15*l.* a year more for it?—I would.

339. State what kind of house is on your farm?—It is a slate house.

340. What kind of house is it on Mr. Reynolds's farm?—A thatched house.

341. That makes a little difference between the value of the two farms?—Yes.

342. Who sent you to look at this farm, and when did you go?—I went in February.

343. Who sent you?—I was appointed to go by the Liberal Club of the county.

344. And you were liberal enough to go?—Yes.

345. Were you paid any thing for your services?—No.

346. Who went with you?—Thomas Bracken.

347. Is he here?—I believe he is here.

348. Is Mr. Wallace a member of the same Liberal Club?—I do not know.

349. Did you agree in your valuation?—I do not know what his valuation is

350. You are quite sure that a person who wished for a farm of this kind would give 15*l.* more for it?—Yes.

351. By the *Committee.*] Your profession is that of a surveyor?—Yes.

352. And you value land, as well as survey land?—Yes, I am a judge of land.

353. You have told us the value of this land is from 2*l.* 6*s.* to 2*l.* 8*s.* an acre, would you, if you wanted a small farm of this description, would you give for it the value you put on it?—I would.

354. Why did you go to this particular farm?—I went to many other farms.

355. Where is this Liberal Club that employed you?—In the county of Longford.

356. Have you been paid for your valuation?—Nothing whatever.

357. Do you expect to be paid?—Nothing whatever.

358. Do you know Reynolds, the man whose farm you valued?—I do.

359. Do you know what family he has?—Not exactly; I do not know.

360. Are you aware he has a family?—I am.

361. Is it a large family?—I am not aware whether it is large.

362. Have you been to his house?—To his door; I did not go inside; I valued the land opposite the house, and walked across it.

363. Did it appear to you that the dwelling was a comfortable dwelling?—Yes, a very comfortable one for a man in his class of life.

364. Did the land appear in decent cultivation?—Very much so.

365. How many fields were there?—I know there is one large field of five acres, I think; I think there are three fields.

366. You did not go over the whole of them?—Yes, I did; I walked over them.

367. When you went to value, were you told what rent Reynolds paid?—Yes, I was told his yearly rental.

Robert Wallace.
17 April 1837.

368. Did your calculation make 10 *l.* above that or not?—I am sure I do not know; I did not calculate it.

369. You did not calculate the gross amount of 2 *l.* 7 *s.* 6 *d.* per acre?—No, I did not.

370. Does Mr. Reynolds keep any cows?—I think he has cows; he has two cows.

371. Had he any pigs?—I have not taken any account of pigs.

372. Has he any sheep?—No, he had a mare with a foal.

373. Did you make the notes you are referring to at the time?—This is a true copy of the notes I made at the time.

374. Does he grow wheat on the farm?—I know it will produce wheat.

375. You cannot say whether there was any wheat left unthrashed on the farm?—No, I cannot.

[*The Witness was then ordered to withdraw.*]

Thomas Bracken, sworn.

Examined by Mr. *Robinson.*

Thomas Bracken.

376. WHAT business do you carry on?—I am a land agent on a small scale, and a landowner.

377. Are you in the habit of valuing land?—Yes.

378. Are you acquainted with the value of land in the barony of Abbyshrule?—Yes.

379. Have you any land there of your own?—No.

380. Do you know Reynolds's land there; Michael Reynolds of Tenelough?—Yes, I do.

381. Have you been over his farm for the purpose of valuing it?—I have.

382. Did you go over it with the last witness, Wallace?—I did.

383. What did you value it per acre?—I think part of it would set at from 46 *s.* to 50 *s.* an Irish acre.

384. Do you know Reynolds himself?—I do.

385. And his family?—I know only one son and his wife; he has more family which I do not immediately know.

386. Does he support his family from this farm, as far as you know?—He does, I am certain.

387. What state was the farm in with regard to cultivation?—The farm was in a good state.

388. In good order, well fenced, and the bounds well made up?—I think he has about nine acres tilled, and the rest in grass; the farm contains from 13 to 14 acres.

Cross-examined by Mr. *Whitesides.*

389. I think you say this farm is well set, well cropped, and well drained?—I did not say well drained.

390. Is it well drained?—Part does not want draining.

391. Is it all well drained?—No, there are three acres of low land at one end of it.

392. Are you acquainted with the value of land?—Yes.

393. What is your business?—I keep a baking business, which is now going on.

394. In the town of Ballymahon?—Yes.

395. Is that your regular occupation?—No.

396. You have no regular occupation?—I have.

397. What is it?—Did you not tell me?

398. You have not told me yet?—I receive rents, by which I receive something yearly.

399. When did you begin to be an agent or receiver of rents?—In 1827.

400. Tell me any one gentleman in the county of Longford that you received rents for?—No, I will tell you in the county of Westmeath.

401. Is it for ladies in the county of Longford you receive rents?—Yes, I receive rents for a lady in the county of Longford.

402. How much a year?—Three hundred pounds per annum.

403. Where does the land lie?—At Ballymahon.

404. What is her name?—Bridget Maccormick.

405. How

Thomas Bracken.

17 April 1837.

405. How did you happen to go to this farm?—I went there to look at it to give evidence here.

406. Did you meet Mr. Wallace there, or did you agree to go together?—I sent to Mr. Wallace, and met him on the way.

407. Who desired you to send to Mr. Wallace; who took the management of this matter in hand?—The Liberal Club of Longford.

408. Are you a member of it?—No.

409. Are you a member of any club there?—No.

410. Political or otherwise?—I was.

411. I understand you were a very active, zealous and indefatigable man that way; were you not an active, zealous fellow in the union business?—No.

412. You were not?—No.

413. Quite quiescent?—Quite quiet.

414. You say you believe it is worth 50*s.* an acre?—I do.

415. Do you know Cox, who has been examined here to-day?—I do.

416. Were you ever over his farm?—Yes.

417. You know his farm?—Yes.

418. Is this man Reynolds's farm a better farm than Cox's?—I do not know his farm; I never was upon his farm at all.

419. Is it not near Reynolds's farm?—It is within a mile.

420. Is it not close to Reynolds's farm?—It is within a mile.

421. Have you seen Cox's farm?—Several times.

422. Is Reynolds's farm a better or worse farm than Cox's?—I have not been over it.

423. Do you know any thing of Cox's farm?—I know where it is situated.

424. Can you give any opinion of Cox's farm?—No, I cannot.

425. Have you ever been by it?—Several times.

426. Did you ever walk over it?—I have passed by, but not been upon the farm.

427. Then you are not able to say, from your knowledge of the land of Cox, whether it is a better or worse farm?—I know the part of Cox's farm that comes to the road, if it was put up for sale, would go for 50 *s.* an acre.

428. You think Cox's farm is worth 50 *s.* an acre?—That part near the road is worth 50 *s.* an acre.

429. You were asked about the house on Reynolds's farm; what kind of house is it?—A small farmhouse.

430. In good order?—Yes, good order.

431. May I ask you whether Bridget Maccormick, this lady you spoke of, is your mother-in-law?—She is.

432. And you swear that you receive 300 *l.* a year for her?—I do.

433. Out of lands in the county of Longford?—Lands and houses.

434. If she has any property, is it not houses in Ballymahon?—No.

435. By the *Committee.*] Do you expect to be paid?—I expect to be paid for coming here.

436. Do you expect to be paid for the valuation you took?—No.

437. You expect no pay for that?—No.

438. You were employed by the Liberal Club at Longford?—Yes.

439. But do not expect to be paid for the valuation?—No.

Mr. *Robinson* was then heard in answer to the objection to the vote of Michael Reynolds.

Mr. *Whitesides* replied.

The Committee-room was cleared; and on the Counsel and the Agents being called in, they were informed by the Chairman that the Committee had come to the decision, that the vote of Michael Reynolds be struck off the poll.

Martis, 18° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

18 April 1837. THE names of the Committee were called over; all present.

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman the Committee had come to the following resolution:—

"That the principle on which beneficial interests are to be estimated under the Irish Reform Act by this Committee, be in accordance with the statute 10 Geo. IV. c. 8. s. 6."

Mr. *Wrangham.*] The next vote we object to is the vote of Hugh Quane, of Ballycloughan, in the county of Longford; 365 on the poll, and 39 on the list of objected votes; registered on 22d October 1832.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

440. DO you produce the affidavit of the registry of Hugh Quane?—I do.

[*The following Document was then put in*:]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2d & 3d Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at Elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Hugh Quane, of Ballycloughan, in the county of Longford, do swear, that I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rents and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any town-land or division of any parish or barony lying and being at Ballycloughan, and barony of Moydon, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 13th day of April in the year 1825; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town So help me GOD.

Truly read by me, for H. Quane,
J. Coffey.

his
Hugh ⋈ *Quane.*
mark.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Forbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Hugh Quane, of Ballycloughan, farmer, of this county, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballycloughan and barony of Moydon, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Forbery, Dep^{y} Assist^{t} Barrister.
John V. Crawford, Clerk of the Peace.

Mr. *George*

Mr. *George Gardiner*, sworn.

Examined by Mr. *Wrangham.*

Mr. *George Gardiner.*

18 April 1837.

441. WERE you present at the registry for the county of Longford, held in October 1832?—I was.

442. Do you remember Hugh Quane, of Ballycloughan, being brought up as a claimant?—I do.

443. Was he objected to?—He was.

444. I see you have taken a note there; did you take that note at the time?—I did.

445. What quantity of land did he register out of?—Thirteen acres and a half.

446. And how much rent did he pay?—One pound eleven shillings and fourpence per acre.

447. By the *Committee.*] Do you mean Irish acres?—Yes, Irish acres.

Cross-examined by Mr. *Robinson.*

448. What was Quane registered upon; did he produce a certificate?—He produced a lease.

449. In 1832?—Yes, in 1832.

450. And he was then objected to?—He was.

451. Was the objection argued?—It was.

452. On both sides?—Yes, on both sides; there were counsel on each side.

[*The Witness was ordered to withdraw.*]

Mr. *Andrew Johnstone*, sworn.

Examined by Mr. *Wrangham.*

Mr. *A. Johnstone.*

453. DO you reside in the county of Longford?—I do.

454. You are a land-owner there?—I am.

455. Do you know the farm held by a man named Hugh Quane, of the barony of Moydon?—I do.

456. How long do you know that farm?—I know it for many years.

457. Did you see it lately?—I did.

458. Did you examine it?—I did.

459. Will you state to the Committee what kind of farm or place it is, the house and lands?—The house is very indifferent; it is a poor house, with no appearance of comfort, quite the reverse.

460. Is it slated?—No, thatched.

461. What kind of land is it, will you tell the Committee?—Some of the land, a portion of it, is naturally of a good quality, but much impoverished, and in a poor worn-out state.

462. In what state or condition is the other part of the land?—The lower part of the land, the wet part which was broken, was different; I could hardly walk over it; the tenant accompanied me.

463. The man himself went round with you?—He did.

464. Do you remember the exact quantity?—I think he told me, as well as I can recollect, that he held about 13 acres.

465. And what is the value, according to your judgment, of that farm?—I think he pays a full value for it, and I think if he paid any thing higher it would be at a rack rent.

466. What is the sum you fix on it as its value by the acre?—From 1*l.* 11*s.* to 1*l.* 12*s.*

467. Do you think a responsible and solvent tenant could afford to pay 10*l.* a year for that farm over the rent?—I am sure he could not; if he was worth 10*l.* above his rent, it would have the appearance of more comfort.

Cross-examined by Mr. *Robinson.*

468. When was it you went over this?—I think in the month of January or February.

469. Did you examine it in the same sort of way that you did Reynolds's land?—I examined it more minutely.

Mr. *A. Johnstone*,
18 April 1837.

470. You examined it more minutely?—Yes.

471. What weather was it then?—It was a wet season.

472. The ground was wet?—Yes.

473. Can you tell in what way this land was occupied, whether in tillage or meadow?—I saw no meadow; principally in tillage; I know he has an acre of meadow, but it is a detached acre from the farm.

474. Then this acre you did not see?—I did, but did not walk over it.

475. Did you see that acre of meadow land?—I did.

476. Is that in Moydon too?—I believe it is; I am almost sure it is.

477. Now, is that part of the land that was much impoverished and worn out?—No.

478. What should you say that acre was worth?—If it was set, as we term it in Ireland in con-acre, it might fetch 3 *l.* or 4 *l.*

479. You say the house was very indifferent?—Very.

480. Were there offices attached to it?—Yes, there are a few; there are two, I think; very poor little hovels.

481. Do you know Quane?—I do.

482. Has he any family?—I believe he has.

483. Do they live with him there?—I cannot exactly say.

484. How far do you live from him?—I dare say nearly four miles; between three or four miles.

485. Do you know of their living any where else?—I do not.

486. Have you any doubt that they all live with him?—I cannot say whether they do or do not.

487. Are they supported by him?—If they live with him, of course they are.

488. Do you know of any of his family being supported otherwise than by him?—I do not.

489. Do you know of his having any means of supporting them except by that house and farm?—Not to my knowledge.

490. Did you examine this farm very correctly?—I did.

491. You can tell us what stock there was on it, perhaps?—I did not see any.

492. When you spoke of the land, there were 13 acres, he told you, in all, and you said some of the land was of a naturally good quality?—Yes.

493. How much?—I should suppose between five and six acres, as nearly as I can guess.

494. What would be the value of that?—I should say, taking the whole of this meadow, together——

495. I do not ask you that?—On the whole, I should say, the very outside value I could put on it would be 1 *l.* 5 *s.* an acre.

496. I am speaking of the naturally good?—The good and bad together.

497. I am not asking you as to the good and bad; I would rather have it separately, the five or six acres?—I say the best part of the land, about five or six acres, would not be worth more than 1 *l.* 12 *s.* an acre.

498. You think it is not worth more than 1 *l.* 12 *s.*?—No.

499. And what would the rest be worth?—From 1 *l.* to 1 *l.* 5 *s.*

500. What do you mean by saying the average is 1 *l.* 12 *s.*, when you say the best is 1 *l.* 12 *s.* and the worst 1 *l.* 5 *s.*?—Giving him credit for his acre of meadow.

501. Then his acre of meadow at 1 *l.* 5 *s.* would be worth 3 *l.*?—It would.

502. Do you know the land in the barony generally?—Yes, I have known it generally.

503. Pray how came you to go and value; who sent you?—I was asked by Mr. Courtenay.

504. Who is Mr. Courtenay?—He is the agent of Mr. Fox.

505. And you knew you went to value for the purpose of giving evidence?—I did, and I told the tenant so on the land.

506. Did the tenant object to your seeing the farm?—No, that man did not object; so far from it, he walked with me.

507. Did he answer such inquiries as you made of him?—He did.

508. Did you ask him what the value was at all?—I did.

509. What did he tell you?—He said he thought he paid enough, and if he had to register again, he would not do it.

510. When was that; when you were valuing?—The day I viewed it.

Mr. *A. Johnstone.*

18 April 1837.

511. He said that at once, did he, of his own accord?—He did, without the slightest hesitation.

512. What did you say to that?—I made no reply that I recollect now.

513. Mr. *Wrangham.*] You thought that called for no reply, I suppose?—No.

Re-examined by Mr. *Whitesides.*

514. Will you explain to the Committee what the meaning of con-acre is in Ireland?—It is setting or letting a small portion by the rood, half-rood, acre or half-acre, for meadow, potatoes or oats.

515. And is it the fact that the landlords, where they let land for con-acre, manure the land themselves?—The landlords generally are against the system of letting land in that way, because it takes the manure off the ground.

516. The *Committee.*] The land is manured by the landlord?—No, the landlord has nothing to do but to receive the rent; the tenant receives the con-acre rent.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson.*] I do not think we should be acting respectfully to the Committee, if we attempted to support this vote after the evidence given.

The vote of Hugh Quane was then struck off the poll.

Mr. *Wrangham.*] The next vote is the vote of James M'Cormick, of Streamstown, in the barony of Abbyshrule, in the county of Longford; registered on 22d October 1832, voted for Mr. Luke White; No. 128 on the poll, and 190 on the list of objections.

Mr. *John V. Crawford,* re-called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

517. DO you produce the affidavit of the registry of James M'Cormick?—Yes.

[*The following Document was then put in:*]

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. 4. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of November, in the year of our Lord 1832, by and before the deputy of the assistant barrister of and for the county of Longford appointed for that purpose; I, James M'Cormick, of Streamstown, in the county of Longford, do swear, That I am a freeholder in the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Streamstown, in the barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 1st day of May in the year 1824; and that I am in the actual occupation thereof, by residing, tithing and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

J. F. Forbery,
Deputy Assistant Barrister.

Sworn and subscribed in open Court, this 22d day of October 1832.
James M'Cormick.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That James M'Cormick, of Streamstown, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Streamstown, in the barony of Abbyshrule, in this county.

Dated this 22d day of October 1832, at Longford.
J. F. Forbery,
Deputy Assistant Barrister.

John V. Crawford, Clerk of the Peace.

Mr. *George Gardiner*, re-called.

Examined by Mr. *Wrangham*.

Mr. *G. Gardiner*.
18 April 1837.

518. AT the same registry we have been talking of, of October 1832, was James M'Cormick a claimant to register?—He was.

519. Was he objected to?—He was.

520. What did he register out of?—A lease.

521. What quantity of land?—Thirteen acres two roods.

522. What rent?—Twenty-one pounds ten shillings a year, 1*l.* 11*s.* 10*d.* per acre.

Matthew Shaw, sworn.

Examined by Mr. *Whitesides*.

Matthew Shaw.

523. DO you know the farm of one James M'Cormick, of Streamstown, in the barony of Abbyshrule?—I do.

524. Is that the same barony you were examined on yesterday?—Yes.

525. Have you been on the farm held by him?—I know it this great number of years; I knew the farm before M'Cormick became tenant of the farm; I have known it for a number of years.

526. It is about 12 acres?—Yes.

527. Will you tell the Committee what the value of that is by the acre?—The value set upon that is 1*l.* 16*s.*

528. That is, the acre?—Yes.

529. Can you state to the Committee whether you believe it would fetch a higher rent in the market than 1*l.* 16*s.*?—I believe it could not fetch a higher rent than that from a good tenant.

530. Is there a house on that?—There is.

531. What kind of a house?—It is an old house.

532. Is it a slated house?—By no means.

533. A thatched cabin?—It is a good-sized house, but it is old, built by a man of the name of Betton.

534. Do you say 1*l.* 16*s.* an acre is the highest rent that would be given for it by a solvent tenant?—I do.

Cross-examined by Mr. *Robinson*.

535. How long has this house been built?—The house has been built, I think I can safely say, about 40 years.

536. Does M'Cormick live in it?—At present he does.

537. How long has he lived in it?—That I cannot say.

538. How long do you recollect his being in it?—I can remember his living in it seven or eight years back.

539. Does his family live there?—Of course.

540. What family has he?—That I will not take upon me to say.

541. Do you know him well?—Yes, I know M'Cormick; but I know the land better.

542. Is he a married man?—He is.

543. About how many does his family consist of?—That I cannot say.

544. Are they five or six, or more?—I cannot take on myself to say what number.

545. Will you say there are not six or seven?—I will not say either the one or the other, because I cannot say.

546. You do not know whether he has a large family or not?—I do not.

547. What should you say the value of the house is?—I do not know what value you could put on the house at present.

548. From your own judgment?—It is in that state that I could not lay a value on it.

549. When did you value it?—I valued it some time in February.

550. Did you go minutely over it?—I had no occasion to go over it at all, because I know the farm this number of years.

551. But you do not know his family?—No, not M'Cormick's family.

552. Do I understand you that you did examine it in February, or that you did not?—No, I did not walk over it.

553. When

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553. When did you last examine it?—I did not go purposely to examine it to a nicety, because, knowing the farm so well before, I thought I had no occasion to do so.

554. Did you ever examine it with a view of fixing the value on it?—No, I did not.

555. You never did?—No, I did not.

Re-examined by Mr. *Wrangham.*

556. You say you have been long acquainted with the farm?—This many years.

557. Streamstown is in your immediate neighbourhood?—Yes.

558. My friend asked you about the family; you do not profess to know whether it has increased or diminished since the time of the registration?—I do not know; I cannot say any thing at all about it.

[*The Witness was ordered to withdraw.*]

Mr. *Robert Cox*, sworn.

Examined by Mr. *Wrangham.*

Mr. *Robert Cox.*

559. YOU were examined here yesterday, I believe, Mr. Cox?—Yes.

560. Do you know this farm, as it is called, of James M'Cormick, of Streamstown?—Yes, I do.

561. Have you been over the farm, for the purpose of putting a value on it?—Yes.

562. When was that?—About the 16th of February; I think it was the 15th or 16th; I cannot say which.

563. You examined it for that purpose?—Yes.

564. What is the value that you put on it per acre, as the rent which a solvent and responsible tenant could afford to give for it?—One pound sixteen shillings per Irish acre.

565. Does that include the building upon it?—Yes, taking all into consideration.

566. Are you quite satisfied that that is giving an extreme value, so far as you believe a solvent and responsible tenant could afford to pay for it?—I think that is the highest value at which any man could hold it, to make any thing of it, and to pay the rent.

Cross-examined by Mr. *Robinson.*

567. Who employed you to make this valuation?—I was applied to by young Mr. Fox, and I was out on his application.

568. Did you value it together with Mr. Shaw?—Yes.

569. When was that?—Either the 15th or 16th of February.

570. Did you go over it minutely with him?—Yes; I had been over it before that, and at different times; it is not a mile and a quarter from me; I have known the land this long time.

571. You said the 16th of February; did you on that occasion go over it minutely?—Yes, I was there on the 13th, before Shaw came at all with me on the land.

572. Is that the last witness, Matthew Shaw?—Yes, Shaw and I then took a view of the land, and I have been three times on the land.

573. When were you there last before that?—I think it was about the 12th or 13th of February I was on it.

574. But when before that?—I cannot remember the day.

575. You say you had been often on it; have you been on it lately?—For this last five years I have been on it; it is a short way to go to the town of T——, and it is a public pass to go by it.

576. So you formed your judgment by riding by it?—No, sir, walking.

577. By Mr. *Whitesides.*] You could not ride that way?—No.

578. By Mr. *Robinson.*] Was there any difference of opinion between you and Shaw?—None.

579. You agreed on it?—Yes.

580. You agreed at once it was worth 1 *l.* 16 *s.*?—Yes.

581. Did you go over it more than once with Shaw?—Only once.

Mr. *Robert Cox.*

Re-examined by Mr. *Wrangham.*

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582. When you went over it with Shaw, you took a view of the land?—Yes.

583. You told the Committee you went over with Shaw to take a view of the land?—Certainly.

584. You had been previously on the land before that, for the purpose of valuing it?—Yes.

585. Then you went by yourself?—There was a man of the name of Morgan with me when I went before.

586. You did not go with Shaw, except on the last occasion, to take the value of it?—Yes, I went round the land, and looked it well through.

587. By the *Committee.*] In this land of M'Cormick was there any difference, or do you consider all the land was worth 1 *l.* 16 *s.*?—Part of the land was not so good as the remainder.

588. How much did you value that at; was there any what you called yesterday tails?—Yes.

589. How much was there of that?—I think there was about five acres that was very indifferent towards the rest; and, by putting the two together, we put it at 1 *l.* 16 *s.*

590. You considered that a fair average?—I considered that a very high value on the land.

591. Just tell me what you valued the five acres at?—I did not take that particularly; we went over the land, to see the difference between the good and the bad, and we said that a solvent tenant could pay so and so.

592. Then you have not a particular value for the bad and the good, separated from each other?—No, I did not make any separate value of it.

Mr. *Wrangham.*] That is my case as to this vote.

Robert Wallace, sworn.

Examined by Mr. *Robinson.*

Robert Wallace.

593. WHERE do you live?—In the neighbourhood of Ballymahon.

594. Are you acquainted with the value of land?—Yes, I am.

595. Are you in the habit of valuing it?—Not in the habit of valuing it, but I am a good judge of land.

596. You say you are a good judge of land?—Yes.

597. Do you know James M'Cormick's land at Streamstown?—I do.

598. Did you examine it any time, or go over it?—I did.

599. When was it?—In February last.

600. Who sent you?—I was appointed by the Liberal Club of the county of Longford to go there.

601. Alone, or with any body else?—With another person.

602. Who is that?—Mr. Thomas Bracken.

603. Did you go carefully over the land of James M'Cormick?—I did.

604. What do you say the land is worth per acre?—[*No answer.*]

605. By Mr. *Wrangham.*] What are you reading from?—This is a copy from the notes I took at the time.

606. Is that the original?—No, it is a copy I took from them.

607. By Mr. *Robinson.*] Did you make the copy?—I did make it myself.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham* objected to the witness being allowed to refer to a copy of the notes.

Mr. *Robinson* was heard in answer to the objection.

After an intimation from the Committee, Mr. *Wrangham* withdrew the objection.

Robert Wallace, re-called.

Robert Wallace.

608. By the *Committee.*] Are those memorandums in your own handwriting?—They are.

609. Are they strictly a copy of the memorandums you made at the time?—They are a strict copy.

610. Are you sure they are accurate?—I am.

611. Have

611. Have you the original books with you?—No, I have not.

612. Mr. *Robinson.*] What do you say the land is worth per acre?—Two pounds six shillings or two pounds seven shillings an acre, I think, he would get for it.

613. Do you include the house in it?—Yes, I include every thing.

614. What do you value the house at?—The house is not a good one; I think 3*l.* a year would be quite enough for it, at all events.

Cross-examined by Mr. *Wrangham.*

615. The valuation you gave of 2*l.* 6*s.* or 2*l.* 7*s.* an acre is for the whole, including the house?—Yes, it is.

616. You were employed by the Liberal Club?—I was.

617. Were you paid by them?—No.

618. You were a volunteer?—I was employed by the club.

619. When land agents are employed by clubs, they are, generally speaking, paid as other people are paid; you were not paid?—No.

620. Consequently you were a volunteer to go and value the land?—Yes, I was; when I was sent I went.

621. For the good of the cause?—Yes.

622. The cause of the Liberal Club?—Yes.

623. Pray what are you; you are not a regular valuer, I think, you said?—No, I am not.

624. What are you?—I hold land.

625. Whom do you hold it under?—Colonel Henry White.

626. Is he the brother of the Sitting Member?—He is.

627. How long is it since you got a lease from him?—I have not a lease from him.

628. How long is it since you have held the land?—I purchased the interest in a lease of a person who held under him.

629. Who is he?—Mr. Higgins.

630. Whereabout is that?—In the neighbourhood of Ballymahon.

631. Let me look at the book?—

[*The book was handed to the learned Counsel.*]

632. This is a copy, is it not?—Yes, it is.

633. When did you make it?—About a fortnight ago, I think.

634. Where did you make it?—At home, in my own house.

635. Who was with you?—Nobody.

636. What have you done with the original?—The original is behind me at home.

637. Why did you not bring it?—I did not think it necessary to bring it.

638. I see you have got James M'Cormick of Streamstown; when was that alteration made from 2*l.* 0*s.* 5½*d.* to 2*l.* 7*s.*?—I dare say it was made at the time.

639. When was that made, on your solemn oath?—At the very time.

640. Do you mean to swear it was done at the same time with this alteration from 2*l.* 0*s.* 5½*d.* to 2*l.* 7*s.*?—I will swear it was done at the very time.

641. How came you to write 2*l.* 0*s.* 5½*d.*, and afterwards 2*l.* 7*s.*?—The difference of the house, I might not have taken it at the time I wrote the 2*l.* 5*s.* 6*d.*

642. What value is it you put on the house?—About 2*s.* 6*d.* or 3*s.* an acre.

643. How can the addition of the house make only a difference of 1*s.* 6*d.* an acre; the difference between 5*s.* 6*d.* and 7*s.* is only 1*s.* 6*d.*; upon your oath are you prepared to say to this Committee now, that having sworn that the addition to the house would make an alteration of 2*s.* 6*d.* or 3*s.*, it made only an alteration of 1*s.* 6*d.*?—I said I considered 3*l.* a high value for it; the house is not a good one; it might make a difference of 2*s.* or 2*s.* 6*d.* an acre; I cannot be particular to a penny or a sixpence.

644. It is a difference of two to one; when you say, having given that evidence as to the value of the house, that it would make a difference of 2*s.* or 3*s.* an acre, you make an alteration in respect of the house, which is only an alteration of 1*s.* 6*d.* an acre; I ask you, upon your oath, whether you did not make the alteration of 2*l.* 7*s.* in consequence of the 2*l.* 5*s.* 6*d.* turning out not to be enough to turn the 10*l.* point?—On my oath it was not.

645. You are aware that the 2*l.* 5*s.* 6*d.* would be under the mark, and the 2*l.* 7*s.*

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2 *l.* 7 *s.* is just over the mark?—On my oath, I did not know it; I did not make the calculation.

646. Will you swear that this land and house is worth 10 *l.* over and above what he pays for it?—I will swear, to the best of my belief, I think he would get it.

647. How did you arrive at that; was it by calculating the value per acre?—I got it by calculating the value per acre at 2 *l.* 7 *s.*, which it is worth, to the best of my knowledge.

648. You told me you had never calculated whether the 2 *l.* 5 *s.* 6 *d.* would be under the mark, and the 2 *l.* 7 *s.* above it; do you mean to abide by that?—I do; I say I valued it at 2 *l.* 7 *s.*, including the house; I considered he would get that for it, if it was brought into the market; that is what I swear.

649. You swear it is worth at least 10 *l.* over and above the actual rent, do you not?—I swear I think he would get that for it.

650. Will you swear that a solvent and respectable tenant could afford to give 10 *l.* above the rent which he pays for it?—I will not swear that a solvent and respectable tenant would; but I say I think he would get that for it.

Re-examined by Mr. *Robinson.*

651. Do you think a tenant would give that for it?—I do, and would pay that rent for it.

652. As to its value per acre, do you believe, upon your oath, that it is worth from 2 *l.* 6 *s.* to 2 *l.* 7 *s.* per acre?—I do.

653. The *Committee.*] I think you told the Committee that you now occupy some land yourself?—Yes.

654. How long have you occupied it?—I have occupied the farm I live on at present since May last.

655. How did you come into possession of that?—I got possession of that from the man who held it; I purchased his interest of him.

656. Have you a lease of it?—Yes.

657. What is the quantity of it?—One hundred and twenty-seven acres and upwards.

658. What is the rental?—One pound ten shillings an acre.

659. Did you give a valuable consideration for that lease?—Four hundred pounds.

660. Mr. *Wrangham.*] You have a good house on your farm?—Yes, it is a tolerably good house, but not so good as I could wish.

661. When you took possession of this farm under the purchase, what was the state of your house?—The same state it is in at present; I made no improvement in it.

662. With that bad house on it, you think it is worth your while to give the consideration of 400 *l.* for the unexpired term?—I would not take 600 *l.* or 700 *l.* for it.

663. You think it is worth more rent than you pay for it?—I do.

664. Consequently, you would not take less than 600 *l.* for it?—I would not take 600 *l.* for it.

665. Was not that 400 *l.* an arrear of rent by the old tenant?—Not to my knowledge.

666. Do you not believe it?—He owed half a year's rent; I think it was not due, it had not become due; I paid half a year's rent.

667. The *Committee.*] To whom did you pay the 400 *l.*?—To a man of the name of Higgins, the person I got the farm from, whose interest I purchased.

668. You paid it to the man who was the previous occupier?—Precisely.

669. And he gave you a receipt for that 400 *l.*?—He gave me a receipt for the 400 *l.*

670. That was in full consideration for your obtaining possession?—Yes, in full consideration; there was half a year's rent due, but it was not demanded; it was demanded of me, and I paid it before I got possession.

671. You stated that you went carefully over the land?—Yes.

672. Is the land all of one description?—No, it is not.

673. How much bad, and how much good?—I think there is about three acres of bottom.

674. Not five?—I do not know that there is five; there may be more than three.

675. How

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675. How much is the bad land worth per acre; those three acres?—I made a valuation of the entire, including the house and all; I cannot exactly say what it was.

676. You only made an average?—Yes.

677. Then you think, altogether, it is worth from 2 *l.* 6 *s.* to 2 *l.* 7 *s.* an acre?—I do.

678. What did you set the house at?—The house is a bad one, it is not a good one.

679. Did I understand you right, that you said about 3 *l.*?—Three pounds, I think, would be a high value for it; I should rather say somewhere about 2 *l.* 10 *s.*

680. That would be considerably more than 2 *s.* 6 *d.* an acre, the 3 *l.*?—I think 2 *s.* 6 *d.* quite enough for it.

681. You do not value the house as high as 3 *l.*?—No, I should say 3 *l.* is too high for it; about 2 *l.* 10 *s.*

682. You think 3 *l.* is rather high?—Yes, rather too much.

683. Still you think the farm worth 2 *l.* 7 *s.* 6 *d.* an acre?—Yes, I think he would get that for it, if he were to put it up in the market.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, sworn.

Examined by Mr. *Robinson*.

Thomas Bracken.

684. ARE you acquainted with the value of land?—I am.

685. You know the land about Abbyshrule?—I do.

686. Do you know the land occupied by James M'Cormick, at Streamstown?—I do.

687. Did you at any time make a valuation of that land?—I did.

688. Alone, or together with any body else?—Together with Mr. Wallace.

689. When was that?—Some time in the month of February last.

690. Were you sent there by the Liberal Club?—I was.

691. Did you make a careful examination of the land and house of James M'Cormick?—I did.

692. What did you say the land is worth per acre?—I think it would set from 2 *l.* 5 *s.* to 2 *l.* 7 *s.* 6 *d.* an acre; I divided the land into two classes.

693. You made a careful examination of it?—I did; I divided the land into two classes.

694. What do you say the house would be worth?—I think about 3 *l.* it would set.

695. The *Committee.*] Have you been much employed as a valuer of land in your own neighbourhood?—Not much, as a valuer of land.

696. Has any land been taken on your valuation?—Yes, land has been set upon that valuation.

697. And the parties are still continuing under your setting?—Yes, land purchased under my valuation; I have been reared up a practical farmer, under 600 acres of land, till I came to manhood.

698. As agent?—No.

699. Your own land?—No, my father's and my uncle's land.

700. You have something to do with land?—Yes.

701. I think we heard yesterday you were a baker?—I carried on that business about six years.

702. You were agent to a gentlewoman?—Yes.

703. Which gentlewoman was your mother-in-law?—Yes, she was so.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* was heard in support of the vote.

Mr. *Wrangham* was heard in reply.

The Committee-room was cleared.

On Counsel and Agents being called in, they were informed that the Committee had come to the resolution, That the vote of James M'Cormick should be struck off the poll.

Mr. *Wrangham.*] The next vote we object to is John Hennesey, of the barony of Ballintubber; No. 83 on the poll, No. 49 on the list of objections.

Mr. *John V. Crawford*, re-called.

Examined by Mr. *Wrangham*.

Mr. *J. V. Crawford.*

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704. DO you produce the affidavit of registry of John Hennesey?—I do.

[*The following Affidavit was then handed in.*]

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the value of Ten Pounds in a County, pursuant to 2d & 3d WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford appointed for that purpose, I John Hennesey, of Ballintubber, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church-cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Ballintubber and barony of Moydow, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 8th day of April in the year 1825; and that I am in the actual occupation thereof by residing, tilling or grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Hennesey.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832.

J. F. Forbery,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Hennesey, of Ballintubber, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballintubber, and barony of Moydow, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Forbery,
Deputy Assistant Barrister.

John V. Crawford,
Clerk of the Peace.

Mr. *George Gardiner*, re-called.

Examined by Mr. *Whitesides*.

Mr. *G. Gardiner.*

705. DID you attend at the registry for the county of Longford in October 1832?—I did.

706. Do you recollect James Hennesey coming forward to be registered?—I do.

707. Was there an objection taken to him?—There was an objection.

708. What was the objection?—He had no lease to produce; he swore that his house was burnt, and his lease was in a chest which he kept in his house which was burnt.

709. By the *Committee.*] Did you hear him swear so?—Yes.

710. By Mr. *Whitesides.*] What quantity of land did he register out of?—Fourteen acres and 12 perches.

711. At what rent?—Twenty pounds fifteen shillings; 1*l.* 9*s.* 6½*d.* per acre.

Cross-examined by Mr. *Thesiger*.

712. Was this man objected to at the registry?—He was.

713. By whom?—By a counsel.

714. Were there counsel on both sides?—There were.

715. And

715. And a great deal of evidence was given with regard to all the votes that were objected to?—Sometimes.

716. Now, in this case, was there evidence called on both sides?—We got a witness called to account for the non-production of the lease.

717. I ask, was there evidence called on both sides?—I have not a note to ascertain that.

718. Have you any recollection on the subject?—I would not wish to speak from memory.

719. Your memory is in that book; is it all that you have told us?—It is.

720. And unless you found a note in the book, you have no memory out of it?—I have.

721. None but this?—This refreshes my memory as to the things which occurred at that time.

722. Is it refreshed enough to be able to tell the Committee whether there was an examination on both sides on oath, with regard to this vote?—I know there was an examination by counsel on both sides.

723. As to whether there were witnesses produced against the vote, as well as witnesses in favour of it?—Wherever there was a witness produced, either for or against a vote, I took down the observation.

724. My question is, whether you have recollection enough to tell us whether there were witnesses offered against the claims to register, as well as in favour of the claims?—In this case I have no note of a witness being called, either to sustain or discredit it; nothing but the examination of the man as to the lease, and the cross-examination of the counsel on both sides.

725. There was a witness as to the lease?—There was a witness produced, who proved he saw the lease executed, and that it was burnt; he was called to prove the title.

726. The attesting witness to the lease was called?—He was.

727. To prove such a thing was executed, and was once in existence?—Just so.

728. What was the name of that man?—His name was James Farrell.

729. Was he cross-examined at the time by the counsel?—He was.

730. Was the claimant himself cross-examined?—He was.

731. And you cannot tell us whether there were any witnesses offered in opposition to this claim or not?—There were no witnesses to value either on one side or the other, but merely witnesses as to the title.

732. Do you mean, on your oath, to say there were no witnesses offered in opposition to the claim?—I do, or else I should have a note of them.

733. The result is, you assume there were no witnesses called, because you have no note of it?—From both my recollection and the circumstance that I would have it.

734. What did you mean by telling us, five minutes ago, you had no recollection whether any witnesses were called in opposition to the claim or not?—I do not recollect I said so.

735. Can you not recollect what you said five minutes ago; do not you recollect you have told us that you could not say whether there were any witnesses called in opposition to the claim or not?—I could—— from my observation.

736. I ask you as to what you have said here in this Committee-room not five minutes ago; can you not recollect what you told us?—Certainly.

737. Did you not, five minutes ago, say you could not tell whether there were any witnesses called in opposition to the claim or not?—From my notes I could.

738. You have not taken notes of what you said here; they are taken by that gentleman, the short-hand writer; I ask you what you said only five minutes ago, whether you have not told the Committee you could not say whether any body was called in opposition to the claim or not?—I said I could not do so without refreshing my memory from the notes.

739. Is your memory in such a state of refreshment as that you can take on yourself to tell the Committee there were no persons called or not?—Whenever any body was called for or against the claim, it was my usual custom to take down the name of the persons.

740. Then the result depends on the accuracy of your note-taking?—Both.

741. Both what?—Both; my memory being refreshed by the accuracy of my notes enables me to speak positively to that.

742. Is that all; would you undertake on your oath, at this moment, to say there was nobody called in opposition?—I think there was not.

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743. My question, sir, to you, is, whether you will undertake positively on your oath to say whether there was nobody called?—I am confident there was not.

744. You have not the slightest doubt in the world about it now, I dare say?—I have no doubt; there was no opposition but the cross-examination of the counsel.

745. You have now not the slightest doubt in the world there was no opposition, except the cross-examination of the counsel, and no witnesses produced?—I have no doubt of it.

746. Are you quite sure about the cross-examination of counsel?—I am.

747. You have a perfectly refreshed and lively recollection of that cross-examination?—I am well convinced of it.

748. Is that from the notes in your note-book here, or the tablet of your memory, a little higher up?—Without any note of that; it was the general practice for every claimant to be cross-examined.

749. It was the general practice, and therefore you have no doubt about it?—No.

750. And they were pretty severely handled sometimes, were they?—Sometimes.

751. Do you remember whether in this particular case, though it is five years ago, do you remember whether James Hennesey was subjected to a severe scrutiny by the cross-examining counsel?—He was cross-examined; as to the severity of the scrutiny I cannot say.

752. He was cross-examined enough, I dare say?—In some cases they are a great deal more scrutinized than in others.

753. I take that for granted; and therefore I ask you whether in this particular case James Hennesey was scrutinized, as you call it, more or less than others?—There were some who were more, where evidence was produced against the claim.

754. You have no recollection of this particular case, have you?—I know this case was not so severely scrutinized as other cases.

755. How do you know he was objected to at all?—Why, he was under examination as a claimant.

756. Have you any recollection of that?—I have.

757. How do you know it?—When he was accounting for the non-production of the lease, the counsel cross-examined him very severely about it, till he brought forward the evidence to prove that it was executed.

758. By the *Committee.*] In what capacity did you attend at the last Longford election?—As poll-clerk.

759. Do you happen to know whether this individual, about whom we are now examining, voted at the previous Longford election?—I was not in the booth when he polled.

760. Do you know whether this individual about whom we are talking voted at the previous election for Longford?—He did at the election after the Reform register.

761. Do you know whether he voted in respect of the freehold he now holds?—He did.

Re-examined by Mr. *Whitesides.*

762. Were those witnesses cross-examined generally on the subject of value?—They were.

763. Mr. *Thesiger.*] What did you attend at the registration for?—For the purpose of collecting the acreable value of the land, and taking notes of the evidence.

764. By whom were you employed?—By a gentleman on the Conservative side.

765. By the *Committee.*] Do you recollect the form in which objections were made to voters; do you recollect what occurred when on either side an objection was made to a voter?—When an objection was made, generally the counsel who made the objection cross-examined.

766. Do you happen to recollect in what way that was done; did the counsel say, "I object to that vote"?—Whenever a claimant came forward, the notice was handed to the party opposing; the summons was served on the tenant to oppose, and it was handed to the party opposing the claim, and then the counsel proceeded.

767. The notice having been previously served?—Opposite the claim the notice is served for.

768. What was the form observed in taking the objection?—There was a mere verbal

verbal notice in form taken at the time; he came forward to claim before the barrister to the counsel verbally. Mr. *G. Gardiner.*

769. That he objected to the vote, and wished to examine him with respect to the vote?—Yes. 18 April 1837.

770. Who was the counsel?—Counsellor Lendrick.

[*The Witness was ordered to withdraw.*]

Mr. *Thesiger* submitted, on the evidence given, that Mr. Whitesides was not entitled to go into the objection to this vote, according to the terms of the resolution which the Committee had come to.

Mr. *Whitesides* was heard in reply.

The Committee-room was cleared; upon Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That sufficient grounds were not established to question the vote of John Hennesey."

Mr. *George Gardiner*, re-called.

Examined by Mr. *Wrangham.*

771. Have you got your note-book?—[*No answer.*]

Mr. *Thesiger* objected to Mr. Wrangham's giving any further evidence upon this vote, and asked the Committee to declare that the vote of John Hennesey be retained on the poll.

Mr. *Wrangham* submitted that that should not be done, and that by the resolution of the Committee he was not precluded from giving additional evidence in support of the objection to this vote.

Mr. *Thesiger* replied.

The Committee-room was cleared, but no decision was come to, and the Committee adjourned.

Mercurii, 19° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present. 19 April 1837.

The Committee-room was cleared.

On Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of John Hennesey remain on the poll."

The *Chairman* stated, he was desired also to inform the Counsel that a rumour had reached a Member of the Committee that there had been some communication between parties who had been in this Court and witnesses out of the Court as to the evidence which had taken place before the Committee, and he had been desired to mention it to the Counsel, with a view of expressing a hope that if any such practice had existed, it should be put an end to.

Mr. *Harrison* said he believed such had been the case, and he had witnesses ready who would prove it.

Mr. *Ambrose Bowles*, sworn.

Examined by Mr. *Harrison.*

772. WERE you in attendance outside this door yesterday?—I was. Mr. *A. Bowles.*

773. Did you see any individual occasionally come out of this room, and enter into communication with persons on the outside?—I did.

Mr. *A. Bowles.*

19 April 1837.

774. Were the persons with whom that individual communicated, witnesses who had been coming into this room backwards and forwards?—They were.

775. Had he any note-book in his hand?—He had a slip of paper and a pencil, on which, it appeared to me, he was writing down what the witnesses that were sent in by Mr. Courtenay were saying, and communicating it to the persons who were to come in on the other side.

776. Were you in the room when he had this piece of paper, taking a note?—I was.

777. Had he the piece of paper, writing on it, at the time the witnesses were giving their evidence?—He had.

778. Mr. *Austin.*] In this room, was it?—Allow me to explain; I never stood in this room until after the Committee got up every day till now, so that I could not mean to say any such thing; I meant to say it was in the room where all the witnesses were standing.

779. *Committee.*] You say you saw him writing down the answers?—He had a slip of paper in his hand, and a pencil, and it appeared to me he was communicating to them what he had written down.

780. Mr. *Harrison.*] Did this occur more than once?—It did.

781. I ask you whether you observed what you have now mentioned more than once?—Yes, more than twice or thrice; five or six times.

782. You spoke of the witnesses' room; that is a large room at the further end?—Yes, or in the passage, as the case might be.

783. Do you know the individual?—I do.

784. Do you know his name?—I do.

785. Do you know in what interest he is; is he an agent?—I do not think he is.

786. With whom does he—in the outer room, where the witnesses are waiting, with which party does he associate, the petitioners on the one side or the other?—Mr. White's, certainly.

787. Can you point out the individual?—I can.

788. Where is he; is he in the room?—There he is—[*pointing him out.*]

789. What is his name?—Mr. Michael Tiernan.

790. This, you say, you observed five or six times?—I did.

791. *Committee.*] Did you see him come out of this room?—I did, and come into the room, but I was not in this room at all.

792. Are you acquainted with Irish Committee proceedings?—No.

793. He is not what is called a polisher?—I really do not know.

Cross-examined by Mr. *Austin.*

794. You say this gentleman, whoever he is, associates with Mr. White's party?—Yes.

795. In the other room?—Yes.

796. He is not an agent?—I do not know.

797. Are you an agent of the other party, connected with Mr. Fox?—I am a witness.

798. On which side?—On Mr. Fox's side.

799. Did not you come here to break down the evidence in support of the votes?—I have come here to give testimony.

800. About value?—Yes.

801. Pray with what witnesses were you associating in the other room?—Why, of course, Mr. Fox's.

802. Why, of course, Mr. Fox's?—Of course I would rather associate with those I came here with than with any others.

803. Then I suppose Mr. Tiernan might, of course, rather associate with the persons whom he came here to support?—I suppose so.

804. Have you happened to speak a word to any of Mr. Fox's witnesses in that room?—I have.

805. You have talked about the election with Mr. Fox's witnesses?—Certainly.

806. About the question of value, with Mr. Fox's witnesses?—Frequently.

807. And you have seen people with papers in their hands?—Yes, I have seen people with papers in their hands, but I did not see anybody acting in the way this person did.

808. Do you mean to say you saw the contents of the paper that was in the hands of that person?—I say no such thing.

809. Will

809. Will you venture to say it appeared he was writing down the evidence? —I do.

810. On what authority do you presume that he was writing down the evidence? —Seeing Michael Tiernan, after one of Mr. White's witnesses, or Mr. Fox's witnesses, had come in here; seeing him immediately return after with this paper in his hand, and speaking to the witnesses of Mr. White that would come in, led me to believe he was communicating to them.

811. The paper itself you never saw?—I have seen it in his hand.

812. The contents of the paper you never saw?—No.

813. Have you heard him converse?—I saw him speaking, but I do not know what he said.

814. Have you heard what he said?—No.

815. Not a word?—No.

816. To whom did you make this statement?—I stated it to Mr. Courtenay, and I told it to Mr. Harrison, and I told it to several.

817. And upon that statement my friend makes that observation, I suppose? —Yes.

Examined by the *Committee.*

818. When Michael Tiernan had this paper in his hand, talking to these people, did he sometimes look on it and then off again, as if he was deriving information from it, and conveying it to the persons?—He did.

819. And you consider the paper was a paper to which he referred as he was speaking?—Yes.

820. You have stated you are here as one of the witnesses?—Yes.

821. Are you an agent of the parties?—I acted as an agent at the election.

822. Mr. *Austin.*] And you are a witness to value here?—I am.

[*The Witness was ordered to withdraw.*]

Mr. *Harrison.*] I do not think it necessary to carry the matter any farther, after the intimation of the Committee.

The vote we now proceed with is the vote of John Ledwith, Moydow barony; 216 on the poll.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Harrison.*

823. HAVE you got the certificate of the register of John Ledwith?—I have.

[*The following Document was then put in:*]

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and in the county of Longford appointed for that purpose, I, John Ledwith, of Ballycloughan, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein arising from house and land of the clear yearly value of 10 *l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Ballycloughan and barony of Moydow, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 13th day of November in the year 1832; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold, in any other county, city or town. So help me GOD.

John Ledwith.

Sworn and subscribed before me, in open Court, this 22d day of October 1832.

J. F. Forbery,
Deputy Assistant Barrister.

Mr. *J. V. Crawford.*

19 April 1837.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Ledwith, of Ballycloughan, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballycloughan, and barony of Moydow, in this county.

Dated 22d October 1832, at Longford.

J. F. Forbery, Deputy Assistant Barrister.

J. V. Crawford, Clerk of the Peace.

Mr. *George Gardiner*, sworn.

Examined by Mr. *Harrison.*

Mr. *G. Gardiner.*

824. WAS you present when a man of the name of John Ledwith came before the revising barrister?— I was.

825. At what registry was it?—The reform registry of 15th November 1832.

826. Was he objected to?—He was.

827. On what ground?—He was objected to strongly on the ground of insufficiency of value.

828. What did he register for; what quantity of land did he state?—Eighteen acres, three roods and six perches, Irish.

829. Did he state the rent?—He did.

830. What did he state to be the rent?—Thirty-two shillings per acre.

831. By the *Committee.*] The gross amount of his rent was how much?—Twenty-nine pounds nineteen shillings was the gross amount.

Cross-examined by Mr. *Austin.*

832. Was you present at the objection?—I was.

833. At the discussion of it?—I was.

834. Pray who was the revising barrister?—Mr. Forbery.

835. He is a Conservative, is he not?—I do not know what his principles are.

836. You know very well he is a Conservative, is not he?—I do not know; he was sent down by Government by special authority.

837. And you do not happen to know what his political opinions are?—I do not.

838. And you do know this vote was strongly contested?—I do.

839. And he pronounced a decision on it?—He did.

840. And admitted the vote?—Yes.

841. Pray were there counsel?—There were.

842. Were there witnesses called?—No.

843. Was the voter examined?—He was.

844. And took his oath?—Yes.

845. And it was admitted?—Yes, it was.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson*, sworn.

Examined by Mr. *Whitesides.*

Mr. *J. R. Richardson.*

846. ARE you a magistrate of the county of Longford?—I am.

847. And secretary to the Farming Society?—Yes, of the county.

848. Do you know the farm held by one John Ledwith, of the barony of Moydow?—I do.

849. Will you state to the Committee what kind of farm that is; in what state it is?—It is a farm of about 18 acres, four acres of it rather better than the remaining part, and the remaining part is a low bad bottom, scarcely capable of improvement; at all events no improvement has been made on it.

850. What is it worth an acre, this farm?—Altogether, about 32*s.* or 33*s.* would be a very high sum in my estimation.

851. Do you know who the landlord is?—Mr. Brown is the landlord, and the rents are received by Mr. West, his agent.

852. In your judgment, it is not worth more than 1*l.* 12*s.* an acre?—No.

853. Do you think, if it was sold, a solvent and responsible tenant would give 10*l.* a year more for it?—I am sure he could not do it.

Mr. *Austin* then contended that the lease must be produced, and that secondary evidence was not sufficient.

Mr.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Austin* replied.

Mr. *J. R. Richardson.*

19 April 1837.

The Committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That one Counsel on each side do argue the point as to the necessity or otherwise of producing the deed, lease or instrument under which the vote is registered."

Mr. *Austin* then proceeded to address the Committee pursuant to the resolution.

Mr. *Wrangham* was heard on the other side.

Mr. *Austin* replied.

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the Committee consider the necessity of producing the deed, lease or instrument under which a voter is registered, is established."

Mr. *Andrew Johnstone*, sworn.

Examined by Mr. *Wrangham.*

Mr. *A. Johnstone.*

854. WERE you employed by the agent for the petitioners in this case to serve notices; you have been examined as having viewed lands, and valued them in several of these cases?—Yes.

855. Did you serve notices on any of these men?—I did.

856. Did you serve a notice on John Ledwith?—I did.

857. Take that in your hand—[*handing a paper to the Witness*]—is that a copy of the notice you served on John Ledwith?—It is, with the exception of the direction; this is not directed to the voter, the other was.

858. You served a notice, of which this is a copy, on him, directed to him?—I did.

859. That you say is identically the same, with the exception that his name was written at the bottom?—It is.

Cross-examined by Mr. *Austin.*

860. Is your name Andrew Johnstone?—It is.

861. Are you a valuer?—I am.

862. Have you been called as a witness here before?—I have.

863. And in other cases?—Yes.

864. You valued a great deal of this property, have you not?—I have valued those two farms on that property.

865. Have you been valuing it extensively for the purposes of this inquiry?—I have.

866. Have you been a notice-server also as extensively?—Not so extensively.

867. You say you served a notice on this voter, John Ledwith?—Yes.

868. Do you know him?—I do.

869. Did you know him before you valued these premises and served the notice?—I did.

870. And you remember leaving a notice with him perfectly?—I put it into his own hands.

871. Could he read?—I believe he could.

872. Did he read the notice?—I saw him look at it, as if he was reading it to himself.

873. Did you at that time value the land?—I did.

874. That was a simultaneous operation?—At the time, before I gave him the notice, I asked him.

875. No conversation, if you please; what I want to know is, whether you valued the land at the time you served the notice?—I did.

876. One eye on the land, and the other on the notice?—Yes.

 877. You

Mr. *A. Johnstone.*

19 April 1837.

877. You was asked to serve the notice?—I was asked to bring the notices, because the notice-server could not have access to them in all cases.

878. Do you mean to say, you remember perfectly serving this notice?—I do.

879. Now, will you undertake to swear as to the date of the notice that you served?—As well as I can recollect, it was either the 14th or 15th February.

880. And what name was inserted in the notice?—John Ledwith.

881. Do you mean to say you remember that from the inspection of the notice?—I do.

882. You read the notice, and remember that fact?—I am positive.

883. You are positive about that?—Yes.

884. Why are you not so positive about the date, "dated this blank day of February?"—I did not carry it so well in my recollection; I have it marked in my due-book, which is at my hotel.

885. This was in last February, you say?—It was.

886. You are positive his name was signed to it?—I am positive it was.

887. Pray, in whose handwriting was that notice, or at least so much of it as was written?—The part which was written was, I believe, in Mr. Courtenay's handwriting.

888. Did you read the whole notice through?—I am not sure whether I read it or not; I have read many of them.

889. You say you served it in February?—Yes.

890. Do you know at what time the notice required the party to produce his lease?—I believe it was for the 11th of April.

891. That is, the 11th of this April?—Yes.

892. Did you explain that to the voter?—I did not; I told him at the time I came there for the purpose of valuing his land, for the purpose of giving evidence against him.

893. Were those the words you used?—Or touching his freehold; something to that effect; I cannot recollect the exact words.

894. That is all you said at the time; that is all you told him, you are quite sure?—I had various conversations with him.

895. Touching this land?—It was.

Re-examined by Mr. *Wrangham.*

896. Take the notice into your hand, and read the whole of it to yourself, and then say whether the notice you delivered differed in any respect from that, as to the day on which the party was to appear; recollect yourself, and state whether it referred to that 11th day of April or not?—As well as I can recollect, it was an exact copy of that, with the exception of the direction; there were some notices I served in which the day was interlined by Mr. Courtenay, but whether this was interlined I cannot say.

897. Can you take on yourself to state positively that on the 14th or 15th of February you served a notice on the party to produce his lease, and so on, following the words of this notice; again I ask you that?—It was an exact copy of that, as far as I can recollect.

898. Were the words "the 11th day of April" in that; are you confident on the subject?—I am certain the 11th of April was mentioned to me.

899. By the *Committee.*] Do you say you served many notices?—I have served a good many.

900. Of a similar nature, the same as that?—Yes.

901. And you do not happen to have any exact copy of the notice you served?—Not any.

902. By Mr. *Wrangham.*] Have you a copy at your hotel?—I have a copy at home, but not exactly a copy as to the person.

903. Have you a copy at your hotel?—I have.

904. Where is that?—At my hotel, at the Golden Cross.

905. Go and fetch it?—I will.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham* then proposed to put in the notice as evidence.

Mr. *Austin* objected to the production of the notice as not being sufficiently explicit.

Mr. *Wrangham* was heard in answer to the objection.

Mr.

Mr. *Andrew Johnstone*, re-called.

Examined by Mr. *Wrangham*.

Mr. *A. Johnstone*.

19 April 1837.

906. HAVE you procured a copy of the notice you served?—I have.

907. Looking over that notice, is there any part of your evidence, with respect to the notice, that you wish to correct, as to the day, or any thing?—I am certain that is a copy of the notice I served on John Ledwith, with the exception of Mr. Courtenay's name, and John Ledwith, the person to whom it was directed, and on whom I served it.

908. Where did you get this copy from?—I got it from my portmanteau.

909. Have you kept that in your custody since you served the notice?—The day after I got that, and I have had it in my possession ever since.

Cross-examined by Mr. *Austin*.

910. Is that a copy of the notice you served on the voter?—It is.

911. That paper?—Yes, this paper, with the exception I have now mentioned.

912. Is that the paper?—It is.

913. You abide by that answer?—I do.

914. Is that a copy?—It is, with the exception of the name of Mr. Courtenay and John Ledwith.

915. And you are positive the date was the 16th?—No, I am positive it is not; I got that notice the day after, and it has been in my possession ever since.

916. Where did you get that from?—From the committee-room in Longford.

917. Do you mean to say the notice you served on the voter was a notice like this I hold in my hand in all respects, excepting as to the date, excepting as to the name of the agent, and excepting as to the name of the voter?—Yes, I served the voter on the 15th February.

918. You served him on the 15th; with the exception of the date of the notice, and the name of the agent, and the name of the voter, is this notice a copy of that you served?—It is.

919. Is this notice a copy of that you served, with the same exception?—[*handing the notice first produced to the Witness.*]—It is not.

920. Have not you sworn that that, with the exception you mentioned, was a copy of the notice you served on the voter?—I believe, as near as I can recollect, I did; but I was under a mistake, because I did not look at the day.

921. Did not my friend Mr. Wrangham call your attention to the month of April, and ask you whether the month of April was not in the notice?—In my reply I said there were insertions made, and the day of the month was altered in some of them; since I went home, I had reference to the book.

922. Give us any further explanation which you think it requisite for your own character to give, as to the statement of the month of April?—I had reference to my book, in which I marked the service of the notice on the party, and it is stated the 15th February.

923. Where is your book?—At home.

924. Have you looked at the book since you left the Committee-room?—I did.

925. Is it at the hotel?—It is.

926. Did you look at the bundle of notices?—I looked at one notice.

927. Where are the rest?—I have no other.

928. This is the only one remaining?—That is all.

929. Why did you not bring the book?—I did not think it was necessary.

930. Is that the whole of the explanation you are prepared to give to this Committee of the evidence you gave before you went to your hotel; pray do give any explanation you can?—I want to hear the question.

931. Is that the only explanation you propose to give to this Committee with respect to your former statement as to the date of the former notice?—It is the only explanation I can give; I did not exactly understand the thing; now I have had reference to my book, I am positive this was a copy of the notice, and that I served it on the 15th.

Re-examined by Mr. *Wrangham*.

932. Do I understand you to say you was under a misapprehension, when you was examined before, as to the day to which the notice referred, and that you have since had an opportunity of correcting that mistake?—Yes.

Mr. *A. Johnstone.*

19 April 1837.

933. And now you say the notice you served on this voter was a copy of that which refers to the 28th day of February instant?—Most decidedly.

934. And that was served on the 15th?—Yes, and the person who valued with me was present when I served that notice.

935. Is he here?—Yes.

936. Who is that?—Mr. Richardson was with me.

937. Mr. Richardson was present?—Yes, he was.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson,* re-called.

Examined by Mr. *Whitesides.*

Mr. *J. R. Richardson.*

938. DID you accompany the last witness, Mr. Johnstone, on any occasion, to the farm of the voter John Ledwith?—I did.

939. Will you state to the Committee on what occasion that was; what was the date of that visit?—On the 15th February I accompanied Johnstone on horseback to the voter John Ledwith, and saw him in one of his fields, and had a conversation with him, and I saw Johnstone hand him a notice ordered by the agent for the petitioners in this case.

940. Were you present when Johnstone put the notice into the hands of the voter John Ledwith?—I was present when he put the notice into his hand.

941. Was that the 15th of April?—It was the 15th of February.

942. And you saw the other man take it?—I did.

Cross-examined by Mr. *Austin.*

943. That was on the 15th February?—Wednesday, the 15th February.

944. You are required, on your oath, now to attest to facts that may be of great importance to you hereafter?—

Mr. *Wrangham* objected to this kind of examination.

945. Mr. *Austin.*] Recalling to your recollection the facts to which you attest, was that notice dated the 15th of February?—No; I do not say the notice was dated the 15th February; I say the notice was served on the 15th February.

946. I thought you said it was dated?—No.

947. What was the date inserted in that notice?—I could not take on me to say what the date was that was inserted in the notice.

948. Did you read the notice?—I read several of them; and I can say that I read the notice directed to John Ledwith; and I can almost say it was I directed it to him in my own handwriting.

949. Be so good as to read that notice, and tell me whether that was a copy of the notice you served; I should tell you, the last witness has sworn that that is a copy of the notice he served?—All the notices served were printed, and that is the same as the printed notices.

[*The Witness was ordered to withdraw.*]

Jovis, 20° *die Aprilis,* 1837.

LORD CLIVE IN THE CHAIR.

20 April 1837.

THE names of the Members were called over; all present.

Mr. *Harrison* stated he had an application to make to the Committee for their assistance, for the purpose of enabling his clients to supply some defect in the evidence with respect to the delivery of notices to the tenants, which was not owing to any fault of theirs, but from outrages in that part of the country, which rendered it impossible for them to deliver them in the way they should have been delivered.

Mr. *Austin* opposed any such application being made.

The Committee intimated it as their opinion, that the application could not then be entertained by the Committee, but that the question as to the notice with regard to the vote of John Ledwith should be proceeded with.

Mr.

Mr. *George Gardiner*, sworn.

Examined by Mr. *Wrangham*.

Mr. *G. Gardiner*.

20 April 1837.

950. WERE you present at the time when John Ledwith, of Ballycloughan, came up to be registered?—I was.

951. Was he opposed at that time?—He was.

952. What number of acres, and what rent per acre, did he claim to register out of?—[*No answer.*]

Mr. *Austin* objected to this examination being proceeded with.

Mr. *Wrangham* was heard in answer to the objection.

The Committee were of opinion that Mr. Austin should proceed with his argument upon the insufficiency of the notice.

Mr. *Austin* then proceeded with his argument.

Mr. *Wrangham* was heard on the other side.

Mr. *Austin* was heard in reply.

The Committee-room was cleared; on Counsel and Agents being called in, the Chairman informed them that the Committee had come to the following resolution:—

"That the notice served on John Ledwith, and the service thereof, are sufficient."

[*The following Document was then handed in:*]

"HOUSE OF COMMONS.

In the matter of the Petition of Lovel Edgworth and others, electors, complaining of an undue election for the county of Longford: also in the matter of the Petition of Charles Fox, complaining of the same election and return.

You are hereby required to produce or cause to be produced before the Select Committee of the House of Commons, to be appointed to try and determine the merits of the said petitions at Westminster, on Tuesday, the 28th day of February instant, the lease, deed or instrument by virtue of which you claimed a right to be registered, and were registered as a voter for the said county of Longford, and in respect of which you voted at the said election petitioned against; and in case you refuse and decline or neglect to produce the same, you are hereby informed that secondary evidence will be offered to the said Committee in respect of same, in order to impeach and invalidate your vote given at said election.

Dated this 16th day of February 1837.

To Agent for the Petitioners,
Pembroke & Co., Dublin and Longford."

Mr. *Wrangham* then called on the other party to produce the lease.

Mr. *Thesiger* stated that they did not produce it.

Mr. *Wrangham* then desired the evidence given by Mr. Gardiner yesterday to be read.

The Short-hand Writer read the evidence.

Mr. *James R. Richardson*, sworn.

Examined by Mr. *Wrangham*.

Mr. *J. R. Richardson*.

953. DO you know the farm held by one John Ledwith, of the barony of Moydow?—I do.

954. You have stated already that you visited the farm?—I did.

955. About what time was it?—On the 15th of February I went there specially; I have known the farm a long time.

956. Do you reside in that part of the country?—I do; within two miles of it.

957. State to the Committee what kind of farm it is which Ledwith holds; what do you state that the farm is worth per acre?—Thirty-two shillings an acre is a high rent for it, in my opinion.

958. Do you think that a solvent and responsible person would give 10*l.* for it, over and above that rent?—I think not.

 959. Could

Mr. *J. R. Richardson.*

20 April 1837.

959. Could he afford to give it?—I think not.

960. Is it near the farm of a man called Quane?—It adjoins it.

961. Is that the man struck off by the Committee yesterday?—The same person.

962. And paying the same rent, 32*s.*?— Yes.

Cross-examined by Mr. *Thesiger.*

963. Were you employed to value the land?—I was requested to visit it, and state what might be the value before this Committee, if it was necessary.

964. Have you ever been employed to value land?—I do not understand the question "employed."

965. Have you ever been employed to value land?—I have never been employed.

966. Are you in the profession of a valuer?—No, I am not.

967. Do you hold any land yourself?—I do.

968. To any great extent?—I hold in my possession about 13 or 14 acres, but I set land of my own.

969. To what extent have you set land?—From 300 to 400 acres.

970. Have you done this on your own valuation, or have you employed some land-agent or surveyor to value it?—At the time I set it, which was about 15 years ago, I got a person to assist me in laying out the farms, and fixing what might be a competent rent for each person.

971. A land-valuer?—Not a land-valuer; a person in whose opinion I could place confidence, and on whose advice I could rely.

972. You placed confidence and followed his advice in setting out your land?—Yes, in the laying out of my land, with my own assistance at the time.

973. By the advice of this gentleman, and your own assistance?—Yes; that is 15 or 16 years ago.

974. When you had not had much experience, I should think?—When I was of age.

975. Have you set any lands since that time, any lands of your own?—One or two farms only of my own.

976. To some extent?—One farm was about 30 acres, the other was smaller.

977. Who was it applied to you to visit this land?—The persons employed in this petition.

978. How came they to apply to you, not being a valuer?—Residing as a country gentleman, and having been residing constantly in the county of Longford for the last years, and having a general knowledge of the place, and being a land-owner myself.

979. Did they give any particulars of the holding of Ledwith before you went over the land?—They did not give me any particulars of it before I went over the land.

980. Did you know the rent?—I did know the rent, but not from them.

981. They did not give it you, but still you had information of the amount of the rent?—I had information of the amount of the rent, for I was present when the claimant registered his vote.

982. You attended the registration?—I did.

983. Did you take an active part?—I was at it from the beginning to the end; what suggestions I could give of what I knew, I gave them.

984. Pray have you ever been employed to value or visit any other land for the party to which you are attached?—Yes.

985. Before this year?—At the last election petition I was asked to give evidence here if necessary, and I visited some, but I did not come over on that petition.

986. Are those the only two occasions in which you have been a visitor of land, I must not say a valuer?—Those are the only two occasions.

987. Do you know a person of the name of Bannam?—I do; I know a man of the name of Robert Bannam; I know the name, and I know the man.

988. Do you know whether he holds any land?—I do know he holds land, for his name is on the registry; I do not know what his land is; I did not visit it. I beg your pardon, I wish to correct myself; a tenant of mine is of the name of Bannam, who resides on part of my property; there are two persons of that name, and I thought you had alluded to the first.

989. What

989. What is his christian name?—He is a very young man, and has lately got a farm from his uncle; I think his name is Patrick; it was his uncle who had the farm, he died, and he inherited it.

990. What does he pay?—I am happy to give you all the information I can, if it is my own tenant you allude to.

991. Can you tell me what he did actually pay?—I may be allowed to state I know three persons of the name of Bannam; one is not a tenant of mine, another is a tenant of my mother's, and another is a tenant of my own; which of the three do you allude to?

992. I will take your own tenant, Patrick?—It is either 1*l.* 15*s.* or 1*l.* 17*s.*, as well as I can recollect.

993. You consider this land of Ledwith's rack-rented?—I consider it set to the full value.

994. Rack-rented, as we call it in this country?—It is set higher than my lands are set.

995. What, higher than Bannam's land?—There is no comparison between them, and it is a good distance from it, if it is my tenant you allude to.

996. Is there any house on this farm of Ledwith's?—There is.

997. What should you say is the value of that house?—The house is in very bad repair as a dwelling-house; it is on the road-side.

998. I did not ask that; I asked you what was the value of it, taking it in its present state; will you be kind enough not to give me any other answer than that which I request of you?—I will not undertake to state the value of the house; I do not consider myself competent to do it.

999. You do not consider yourself a competent judge to value that house?—Not to place a value on it, I do not.

Re-examined by Mr. *Wrangham.*

1000. Will you state to the Committee why you cannot place a value on that house?—Because, in its present state, it would require so much to make it comfortable, that you could build a better house for the sum it would take to repair that, from its great length, and the straggling way it is in.

1001. Do I understand you to say you cannot put an assignable value on it?—I cannot.

1002. You have spoken about your lands; are the lands and farms you let yourself situate near Ledwith's?—No; I dare say they are a mile and a half from each other, at all events.

1003. Have you taken a valuation of the land, and what do you consider the highest amount of rent for any portion of the land held by Ledwith, and the least?—In Ledwith's farm, between four and five acres of it is of a good description of ground, which might be worth from 1*l.* 15*s.* to 1*l.* 16*s.* an acre, by itself; but there is a large quantity of it bottoms towards the lower end, for which, I think, 1*l.* 5*s.* would be a high rent.

1004. *Committee.*] You are speaking of Irish acres?—Yes, of Irish acres.

1005. Mr. *Wrangham.*] How much is there of that?—I think there is five or six acres of that upland, and the remainder bottoms, but there is one part of that bottom worse than the other part; it runs down.

1006. *Committee.*] In letting farms of this description, is it the practice to fix a specific rent on the house, or is it usual to let the land and house together as part of the farm?—It is usual to let the land and house together as part of the farm.

1007. A specific value is never put on the house?—Never, for they are such a description of houses as not to be worth it.

1008. In the case of your tenant Bannam, is his land better or worse than this land of Ledwith's?—It is better, and there is not the same mixture of bad land with it.

1009. Is Ledwith's best land of the same description as your tenant's land?—Indeed, I dare say they are about the same class.

1010. You let yours at a little higher price than you put on Ledwith's?—Indeed, I think not; I think mine is 1*l.* 15*s.* or 1*l.* 17*s.*

1011. You only allow him 1*l.* 15*s.* or 1*l.* 16*s.*?—There is a good deal of bog, which I give to my tenants there.

Mr. *J. R. Richardson.*

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1012. Is the house included in your tenant's land?—The man himself has built a new house on it within this year and a half.

1013. In the event of your having land to let, which has no house on it when it is let, who builds the house?—The tenant.

1014. If that farm within two years became at liberty, would that farm be of more value with the house on it than it is without it?—That would depend on the kind of house built; such a house as my tenant has built would add to the value of the farm.

1015. Is it a slated house?—No, it is not.

1016. I think you told us before you were secretary to a farming society?—There is an agricultural society in the county, in which each gentleman takes a turn, and it became my turn to be secretary this year.

1017. It does not imply any superiority one over another?—No.

1018. Are you a magistrate of the county of Longford?—I am.

Matthew Shaw, sworn.

Examined by Mr. *Wrangham.*

Matthew Shaw.

1019. DO you know this farm of Ledwith's?—At what place?

1020. At Ballycloughan, in the barony of Moydow?—I do.

1021. You know the farm, you say?—I do.

1022. What description of farm is it?—A small portion of the land I consider is good land, but not the best.

1023. How much is there of that description?—I think, at the most, it is something about four acres; it may be a little more.

1024. Of what description is the rest of the land?—Very bad.

1025. What sort of a thing is the house?—The house is only very middling.

1026. Now, taking this land, which is rather of a better description, though not the best, and the land which is very bad, and the house which is but middling, what is the rent per acre for the whole, which in your judgment a solvent and responsible tenant could fairly afford to give?—The rent, I consider a solvent tenant could pay for it, at the highest, is 1*l.* 12*s.*

1027. If you had the setting of it, would you expect to get more than that?—I would be well satisfied to give it for that rent, if I could get a good tenant for it.

1028. Is this farm adjoining Quane's farm?—It just adjoins it.

1029. Have you known this place for many years?—Many years; I knew the father of the tenant; I believe the father is still living; I was well acquainted with the father.

1030. And have you been recently to see it, and to examine it again?—Yes, I went lately to see it.

Cross-examined by Mr. *Thesiger.*

1031. Pray were you brought up as a land-valuer?—Not immediately as a land-valuer, but I was often troubled on that occasion.

1032. Then you have not been educated as a land-valuer?—No, I cannot say I was.

1033. Pray do you hold any land yourself?—I do.

1034. Who is your landlord?—I hold land of Mr. Fox; I hold land of Mr. Crawford; I hold land of the estate of Sir John Pearce; and I hold land of Lady Ross.

1035. Is Mr. Fox any relation of the candidate?—He is.

1036. What relation?—His nephew.

1037. And I suppose that is the reason they selected you to go and value this farm?—As to that I cannot say.

1038. I dare say you can if you try?—Whether they considered my judgment was good, or being a tenant, I cannot say which.

1039. Have you had much experience in valuing before?—I have been troubled on that business.

1040. And it was a great trouble to you?—It was more trouble than profit, I know; that I can say.

1041. How often have you been troubled on that business?—I was troubled by the late Mrs. Fox; I had to go over the greater part of her estate, and arrange the rents for her tenants.

1042. To

1042. To value?—Yes, to value.

1043. Was that the only occasion you was troubled?—I was upon other occasions.

1044. Who has employed you besides the Fox family to value?—I will not immediately say any one.

1045. Did you know, before you went over this farm of Ledwith's, what rent he paid?—No, nor do I know it still.

1046. You mean to tell the Committee you have not the least notion what rent he pays?—I mean to tell the Committee I do not know the rent.

1047. You do not know the rent?—I do not know the rent of the farm of a single person that ever I went to view; the agent was going to give me a return of the rents, and I told him not to give me any such thing, and I said if I went out I would give my own opinion.

1048. You knew the object was to show the parties had no vote?—I did.

1049. And it was very important, therefore, for the party for which you was employed to set it as low as possible?—That I should set it at the highest value I could put on it.

1050. Do you not know it was very important for the party that engaged you, that the land should be set as low as possible?—That I should value the land as low as possible, do you mean? I do not know how to answer it.

1051. Perhaps, if you consider a little, you may be able to do so; try again; just apply your mind to it; do not you know it was to the advantage of the party who employed you, that the land should be set at as low a rate as possible?—I cannot take it in that kind of way.

1052. That you should value it, or it should be valued, rather, at as low a rate as possible?—I will answer that, to be sure; but I was not to consider that; that was not to guide me in my valuing by any means.

1053. That you knew before you went to value the different farms you were employed to value?—Yes.

1054. Will you tell me what you consider to be a fair rent for the better part of the land, the four or rather more than four acres?—I consider that those four acres (I think there are four, there may be a little more) may be worth 2*l.* an acre; and I think a man holding them at 2*l.*, if I may be allowed to say so,—a man holding them at 2*l.*, they would be of better value to him than holding the rest of the land to make up the rent; but I do not look at it in that way.

1055. What do you mean by saying it would be better value to him holding these at 2*l.* than holding the rest of the land?—I consider it would be better for the man to hold them at 2*l.*, than the remainder of the land to make up the entirety.

1056. What entirety; the entirety of what?—To make up the whole of the rent; I did not calculate it in that way to know what it would come to; I consider the man who held it at 2*l.* would have a better holding than supposing he held the rest of the land at 1*l.* Supposing the four acres had reduced the bad land down to 1*l.*, I consider the man who held the four acres to have a better holding than the man who held the rest at 1*l.*, to make up the entire rent of 1*l.* 12*s.*

1057. What do you consider would be the value of the remainder of the land, putting those four acres aside?—I would hold the four acres myself to-morrow, if I wanted a thing of the kind, before I would hold the remainder; I would become tenant of the four acres at 2*l.* before I would become tenant of the remainder at 1*l.*

1058. Do you consider the remainder is not worth 1*l.* an acre?—I consider that a very high value.

1059. What should you consider would be a fair value for the remainder, which you consider would be high-rented at 1*l.*?—I consider that would be a high rent.

1060. Too high a rent?—I think it would go at 1*l.*

1061. Do you think it would go at more?—I am not inclined to think it would.

1062. You have spoken of the house which my friend wanted to make an indifferent one, but which you say is a middling one?—Yes.

1063. What do you think would be the fair value of that house?—I do not recollect at all what I thought the house would be worth in value; I did not look at it in that kind of way.

1064. You know what the house is?—I do.

1065. And you cannot tell the Committee what you consider would be a fair value for it?—I cannot, because I did not look at it.

Matthew Shaw.

20 April 1837.

1066. And you cannot therefore form any judgment on the subject?—No; because I cannot form a judgment on what I did not look at.

1067. You looked at it, and saw it was a middling house?—I did.

1068. You say you have had great experience in these matters; tell the Committee, remembering what the house is, what the value of it, in your judgment, would be?—I did not go to value the house; the way I valued it was in this way; I said, if this farm was out of lease, including the house and all, that 32 *s.* would be a fair value for the house and land altogether.

1069. The *Committee.*] In letting farms of this description in Ireland, is it the practice to throw the house into the farm?—Always; they pay nothing for the house.

1070. Mr. *Thesiger.*] How did you arrive at your 32 *s.* an acre?—That is my opinion as to the value.

1071. You have given us the value of the better part, and the estimated value of the worst part; how did you arrive at your 32 *s.* an acre as an average?—I looked at the entire farm, and knowing the farm heretofore perfectly, I considered the 1 *l.* 12 *s.* an acre was a full and fair value for it to be set at.

1072. You did not strike any average or any balance between the different qualities of the land?—I made no calculation to make up so much land at such a rate; no such thing.

1073. You took a general view of the whole?—Yes, just so.

1074. An enlarged view; comprehensive?—Yes.

Re-examined by Mr. *Wrangham.*

1075. You have been employed before to value land?—I have.

1076. Do I understand you to say that Mrs. Fox was your landlady?—She was not my landlady; it was an estate in her own right; she asked me to value it.

1077. You are a tenant of the family?—I was a tenant of her husband.

1078. Do I understand you to state, that when she wanted the estate valued for the purpose of fixing the rent, she selected you for the purpose of putting a value on that estate?—She did.

1079. You mentioned a number of people that you have held under; how many acres have you held altogether?—I hold better than 200 acres; I hold more land in Westmeath than I do in Longford.

1080. You hold 200 Irish acres, of course, I presume?—I do.

1081. Are you frequently troubled and referred to for the purpose of setting a value on lands of this kind?—I have been troubled in this way; when neighbours have asked me to do these sort of things I have done it for them.

1082. I think you say, that looking at this house, and the land of the better and the worse quality, and the quantity of each, that you are prepared to tell the Committee that 1 *l.* 12 *s.* per acre rent, including both descriptions of land and the house, was not a high rent?—That is my opinion.

1083. And that value you put on it without any knowledge whatever, and having declined to be informed of the amount at which the tenant was rated?—Certainly I did.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, sworn.

Examined by Mr. *Wrangham.*

Andrew Johnstone.

1084. I THINK you stated to the Committee that you have been over this farm for the purpose of taking the value?—I did.

1085. What is the value that you put upon this farm per acre as the rent which a solvent and responsible tenant could fairly afford to give for it, including the house, and including the whole of the farm?—From the view I took of it, I thought about 33 *s.* would be a very high rent for it.

1086. That is 33 *s.* per acre?—Yes, it is.

Cross-examined by Mr. *Thesiger.*

1087. Did you go alone to value?—No, I did not.

1088. Who went with you?—Mr. Richardson.

1089. Did you assist Mr. Richardson with your judgment?—I did.

1090. You

Andrew Johnstone.

20 April 1837.

1090. You told him what you considered would be a fair value?—We spoke generally of the value and the description of the ground.

1091. How much did you state the value of the best part of the land at per acre?—There was only a small portion of it good land.

1092. Why do you not answer my question; how much did you value the best part of the land at per acre?—I think from 1*l.* 18*s.* to 2*l.*

1093. How much was there of that?— I valued it at from 1*l.* to 1*l.* 2*s.* or 1*l.* 3*s.* per acre.

1094. Did Mr. Richardson agree with you in your view, or differ from you?—I think, in general, we agreed; sometimes he valued something higher than me, and sometimes I valued something higher than him.

1095. I am speaking of this particular farm; did you agree in the particulars of value with regard to this farm?—No; I set 1*s.* an acre higher than Mr. Richardson.

1096. In what part of the farm?—On the whole.

1097. In the particulars of your valuation, the details of the valuation, taking, for instance, that there was from four and five acres worth from 1*l.* 18*s.* to 2*l.*, did Mr. Richardson agree with you in that?—I do not exactly recollect with regard to the division.

1098. Pay attention to the question, and remember you are on your oath; I ask you whether Mr. Richardson did or not agree with you in that part of your valuation?—I cannot exactly say; I do not recollect.

1099. Did you not tell the Committee a short time ago that he took your advice about it?—I did not; I said we agreed generally.

1100. Did you not say that he took your advice when he went over the land with you?—I do not think I said so.

1101. Are you sure of it?—I do not recollect that I did; we assisted each other.

1102. Did you agree or differ?—I am positive that he said he considered 1*l.* 12*s.* would be a high rent, and I said I considered it might be worth 1*s.* more, at a very high rent.

1103. Did you know what the rent was?—I did not.

1104. Do you mean to swear you did not know what Ledwith's rent was?—I do.

1105. What did you value the worst part of the land at?—I said from 1*l.* to 1*l.* 2*s.* or 1*l.* 3*s.*

1106. Did Mr. Richardson agree with you there?—I do not recollect; we took the farm together.

Re-examined by Mr. *Wrangham.*

1107. You do not recollect every word that passed between you and Mr. Richardson?—It is impossible.

1108. Is that the mode they let farms at in Ireland, taking the value per acre in the whole, and not the value of each particular acre by itself?—Yes.

Mr. *Wrangham.*] That is my case.

Francis Davys, sworn.

Examined by Mr. *Thesiger.*

Francis Davys.

1109. I BELIEVE you are a farmer?—I am.

1110. To what amount do you hold land; how much?—I hold near 400 acres.

1111. Are you a tenant on Mr. Fox's estate?—I hold land from a Mr. Fox.

1112. Do you know whether he is the candidate here?—No.

1113. Is it a relation of his?—Yes.

1114. Are you well acquainted with the value of land in the barony of Moydow?—Tolerably well; I have spent all my time in farming from the age of 17 upwards, since I was capable of attending to it.

1115. Were you required to go over the land of Ledwith to ascertain what you considered to be the fair value of it?—I was.

1116. Who employed you?—The Liberal Club of Longford.

1117. Did you go carefully over the farm?—I did; I walked over the land.

1118. And examined it fully, with a view of ascertaining its value?—Yes, that was my business to do it.

Francis Davys.

20 April 1837.

1119. We hear that there are 18 acres 3 roods; what do you consider the best part of the land would be worth per acre?—The best part of the land would be worth from 2*l.* 8*s.* to 2*l.* 10*s.*; it appeared to me to be excellent tillage land.

1120. By the *Committee.*] How much is there of that best land; how many acres?—As well as I can recollect, between eight and nine acres; I have not measured it; that is as well as I can recollect.

1121. Do you mean English or Irish measure?—Irish.

1122. Mr. *Thesiger.*] What do you consider the remainder of the land to be worth per acre?—From 33*s.* to 34*s.* I think the remainder is worth.

1123. What do you consider the dwelling-house to be worth; what the dwelling-house would set for?—From its locality, being so near a place of worship, I think it would set from 8*l.* to 10*l.* a year; I mean the dwelling-house, with the offices attached to it.

1124. From the advantage it possesses?—From the advantage it possesses; it is immediately near a house of Catholic worship.

1125. Is that a great recommendation to persons who take a house?—There is generally in a neighbourhood of that kind a house licensed to sell spirits.

1126. Do you mean to say that a house of this kind in the neighbourhood of a place of worship would be licensed to sell spirits?—Yes, I do.

1127. Is it a large house?—It is a comfortable farm-house.

1128. With extensive offices?—Yes, I think with three offices, barn, stable and cowhouse.

1129. In your judgment, would a solvent and responsible tenant be found to give 10*l.* a year for the house and the land above the 29*l.* 19*s.* a year?—I think there could be a solvent tenant got.

1130. Who would give that beyond it?—Yes.

Cross-examined by Mr. *Wrangham.*

1131. What rent would you swear you think a solvent and responsible tenant could afford to give for the whole?—I think from 2*l.* 4*s.* to 2*l.* 5*s.*, taking it all.

1132. You told my friend a solvent and responsible tenant would give 10*l.* over and above the rent the tenant pays already; you know the rent the tenant pays?—I have heard it from him.

1133. You knew it at the time you were valuing?—I did.

1134. You knew, I presume, it was important for the purposes of the Liberal Club that it should be valued at 10*l.* above that?—I dare say the club might have thought so.

1135. Did you think so; did you not know that it was important at the time you were valuing, and were aware of the rent the tenant actually paid, that it was important for the purpose of your employers that it should be worth 10*l.* more?—I might have known it was important.

1136. Did you know it?—I did know it.

1137. Have you known this land a long time?—No, not for a long time.

1138. Have you ever seen it before, to go over it before you went this time?—No, I have not.

1139. I understand you did not measure what was the good part and what was the bad?—No, I did not measure it.

1140. How long were you on the ground?—I was twice on the ground, at two different times.

1141. How long each different time?—I dare say half an hour each time.

1142. Was the tenant with you each time?—He was each time.

1143. The voter?—Yes, the voter.

1144. Did you mutually assist each other in putting a value on the different parts of the land?—I did not tell him what I valued it at.

1145. Did he tell you what he wished to value it at?—He did not.

1146. He told you what rent he paid?—He did.

1147. How far do you live from this?—In the neighbourhood.

1148. From the voter's house, Ledwith?—I do not know exactly, perhaps from eight to nine miles.

1149. Are they Irish miles?—Yes.

1150. You have been asked the names of the persons under whom you have held land; you say you have held land under Mr. Fox, a relation of the candidate; do you hold under Mr. White?—I do.

1151. Is

1151. Is that the Mr. White the Sitting Member, or his brother?—The Sitting Member; I hold a small farm under the Sitting Member.

1152. Are you quite sure you hold under Mr. Fox, not your family?—Myself.

1153. With respect to the house, you say it might be worth 8*l.* or 10*l.* a year, because it is near the chapel?—Yes.

1154. Then you told us it might have a license to sell spirits?—The man told me he could get 10*l.* a year for it.

1155. We do not want to hear what the voter said; you say he might have a license to sell spirits; is the value of 8*l.* or 10*l.* a year, which you put upon it, the value it would bear if it had a license to sell spirits or without it?—The situation of it, where it is placed, I think enhances the value.

1156. Is the value of 8*l.* or 10*l.* a year, which you put on it, the value you put on the house as it is now, or the house when licensed to sell spirits?—As it is now.

1157. Then why did you give as a reason for that value that it might have a license to sell spirits; if you say it is worth 8*l.* or 10*l.* by itself, why did you give the reason for that value that it might have a license to sell spirits, if you did not reckon that license as part of the value of the house?—I did not reckon it as part of the value of the house; but I say I think from the situation of the house and the locality of it, it is worth 8*l.* or 10*l.*

1158. Did you not say the license to sell spirits is a reason for the situation making it so valuable; did you say that or not?—I did say so.

1159. You said the capability of its having a license for selling spirits is what rendered its situation more valuable; I ask you whether you did not take into consideration the fact of its having a license to sell spirits in the value you put on the house?—I attached the value of the house to the situation in which it is placed.

1160. Is not the value of the situation derivable from the facility of being licensed to sell spirits?—Yes.

1161. What sort of a house is it; a slated house?—No, a thatched house.

1162. How many rooms in it?—I do not know exactly, though I have been in it.

1163. Do you know any thing about the number of rooms?—I think three apartments entirely; I would not swear positively to that; there are decidedly two.

1164. Will you swear to the number of chimneys in it?—There is one chimney, I cannot say there is more.

1165. Will you take on yourself to swear there is more than one chimney in that house?—I will not.

1166. Or more than one fire-place?—No.

1167. Will you swear there is more than one?—I will not; I have only been in the kitchen apartment.

1168. Did you put a value of 8*l.* or 10*l.* a year on a house of this kind by only going into the kitchen apartment, and not knowing how many other apartments there were?—I did; when I said it was worth 10*l.* I included the offices.

1169. But you have not seen more than one apartment in the house?—I have not.

1170. Have you had any experience in the expense of building such a house as this?—I have not.

1171. Will you take on yourself to swear it will cost more than 8*l.* or 10*l.* to build this house?—If you include roofing and every thing, it would cost more than 10*l.* to build it.

1172. How much would it cost to build that house?—I think it would cost between 10*l.* and 12*l.* to build it.

1173. And then you think that a house that would cost 10*l.* or 12*l.* to build new, would fairly fetch from a solvent and responsible tenant the whole cost price in the shape of one year's rent?—I include the offices with it.

1174. How much would it take to build the offices?—I think the house would set, with the offices, at from 10*l.* to 12*l.*

1175. How much would it cost to build the offices?—From 10*l.* to 12*l.* more; and I think I am speaking rather low.

1176. What are the offices?—They consist of a barn, a stable and a cow-house.

1177. Is there not a pig-sty?—I am not quite sure; I dare say there is.

1178. But you do not know?—I do not recollect.

1179. You cannot tell us whether there is a pig-sty or not?—I cannot say whether there is or not; I dare say there is; there is always one attached to such a house.

Francis Davys.

20 April 1837.

1180. Have you any recollection whether there is or not a pig-sty?—I have not, indeed.

1181. And having no recollection of that, you put a value on the offices?—I put a value on what I saw—the barn, cow-house and stable.

1182. Having no recollection of whether there is or not a pig-sty, you put a value on the offices?—Yes.

1183. You say they might cost from 10*l.* to 12*l.* more to build?—Yes, I do.

1184. Of what size is this barn?—It is about 12 by 14 feet; I did not measure it.

1185. What is it built of?—Stone.

1186. And what else?—Mortar.

1187. Is it not mud?—I think not.

1188. Will you not swear it is mud?—I will not; but I think it is stone.

1189. Have you any doubt as to whether it is mud or stone?—I will not swear positively which it is; it is whitewashed.

1190. Now let us have the stable; how long is the stable?—The stable is a small house, capable of holding two or three horses.

1191. Two or three small horses?—The ordinary size they are in that country.

1192. Is that large or small?—From 12 to 16 hands high.

1193. Which do you mean; 12 is small, and 16 is large; that is no description of the size of a horse to say it is from 12 to 16 hands high; what is the ordinary run of horses there that this stable is capable of accommodating; are they small horses of 12 hands, or the larger ones of 16?—It is capable of holding either the one or the other; the height of a horse makes no difference in the width he occupies in the stable.

1194. Will you swear the stable is 16 hands high?—It is more than 16 hands high.

1195. Now what is it built of?—The same materials that the barn is built of.

1196. Do you know what materials the barn is built of?—It is covered with lime outside.

1197. I ask you whether you know what materials the barn is built of?—It may be stone, or it may be mud, for all I know.

1198. The stable may be stone or mud, for what you know of?—Yes.

1199. How came you to swear that the materials are the same, when you do not know what the materials of either of them are?—Offices of this kind are generally built of the one material or the other in that part of Ireland.

1200. Is that the only reason you have to give why you are prepared to swear they are built either of mud or stone?—I think they might be built of either one or the other.

1201. Do you know any thing about it?—I have not examined them particularly.

1202. Do you know any thing about it?—Nothing more than what I have already told you.

1203. You know nothing more than entire ignorance on the subject?—I know they are not built of rods; they are built of lime and stone, or mud covered with lime outside.

1204. Which they are built of, you do not know?—I do not know.

1205. Does it not make much difference, whether a place is built of mud, or if it was built of lime and stone?—Not in the building of offices; where they have not a facility of getting lime and stone, they generally use mud.

1206. As built of what materials do you put this value of 10*l.* on the offices?—I put the value on them as being built of lime and stone.

1207. And you cannot tell whether they are not built of mud?—To the best of my opinion and recollection, they are built of lime and stone.

1208. Taking all the things together at your own valuation, and supposing this fact of lime and stone to exist there, you say the whole cost of building the whole thing would be about 22*l.*, house and offices, and all?—From 22*l.* to 24*l.*

1209. That is, to build them new?—Yes, to build them new.

1210. Are they new now?—They have been some time built.

1211. Are they in good condition now?—They are in a tolerably good condition.

1212. Does that mean they are not in a tolerably bad condition?—I think the offices are newly thatched, and altogether they appear to me to be as comfortable as I see farms of that class in Ireland.

1213. I am speaking of the house; in what condition is that house in?—It is in a tolerably good condition.

1214. Pray

1214. Pray explain what you mean by a tolerably good condition?—It is neither new nor old, nor wants much repair.

1215. Do you mean it as neither standing nor falling down?—I am sure it is standing; it has no appearance of falling.

1216. Will you undertake to swear it is in a good condition?—I will undertake to swear it is in a good condition.

1217. Will you undertake to swear it is as valuable now as it was when originally built?—No, it is not.

1218. The value is impaired?—It is.

1219. What value do you put on it now, to buy it out and out; you tell me, from 22*l.* to 24*l.* would build it; I ask you what the value is in its present condition?—I do not know what you mean by that.

1220. You say it would cost from 22*l.* to 24*l.* to build it new, and it is not in so good a condition as if it was new; I ask you what it is worth now to buy it out and out?—I think 2*l.* would put it in as good repair as if it was new.

1221. Do you think from 20*l.* to 22*l.* is what it would sell for as it stands now?—I do not know what you mean by sell.

1222. If that house was in the market to be sold, do you think it would fetch from 20*l.* to 22*l.* as a price for it; not to set, but to buy it out and out?—I do not know what you mean by sell; do you mean, to sell the house, and convert the materials of the house into money?

1223. To buy the house as a house, as it is to live in?—I do not know what it would bring, because I never knew an instance of that kind in Ireland.

1224. How came you to put a value on the house by itself, without the land, and besides the land?—For a person to live in it.

1225. I am supposing the case of a person buying it for the purpose of living in it; will you undertake to swear any body would give 20*l.* for it to buy the house and offices, and to go and reside there?—I do; any body would give 20*l.* for it to buy the house and offices, and to go and reside there.

1226. As part of the farm?—Yes, as part of the farm.

1227. You have talked about the chapel, and the house having a license for spirits; is that chapel very much frequented?—Yes, it is.

1228. Who is the priest there, at that chapel?—The Reverend Mr. O'Connell, I think.

1229. Let us clearly understand this; in the value you are giving of this land, and so forth, do you mean that the land, with no house at all on it, (put this beautiful house out of your imagination), do you mean the land would let, eight or nine acres, from 2*l.* 9*s.* to 2*l.* 10*s.*; the remainder, from 33*s.* to 34*s.*, without any house or offices at all on it?—I do think it would; and my reason for thinking so is, I have land of a much inferior quality between Lan and Ballymahon, which is set at two guineas an acre.

1230. And you always get your rent paid for it?—Yes.

1231. Do you mean to say, that in the land which is so let, there are not great arrears continually?—The person who is paying the two guineas an acre for that land owes nothing but the last November rent.

1232. I am speaking of the land in that part of the country which you spoke of, which you said you underlet; have there not been large arrears due on them?—Due by tenants.

1233. Due in respect of the land?—There are not.

1234. You do not know of any arrears?—I do not know of arrears; the tenants between Lan and Ballymahon have had their rents paid, and that part of the country is called Callas.

1235. How far is that from Ballycloughan?—About 10 or 11 miles.

1236. Is it not nearer to a town than Ballycloughan?—Yes, it is nearer to a market.

1237. Very considerably, is it not?—Not much.

1238. How much?—Not above a mile or two, as far as I can judge; I do not know the exact distance between Ballycloughan and Longford; I do not think it is more than eight or nine miles.

1239. How far is the land you speak of from a market?—Between seven and eight miles.

1240. What market-town is that?—Ballymahon.

1241. *Committee.*] Did you let this bad land of yours by con-acre?—No, I let it to one man.

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1242. How many acres were there?—Eleven acres.

1243. If you let a farm from 20 to 40 acres without a house on it, and if you build a house on the farm, which costs you 20*l.*, what increased value should you put on the farm for the house that is so built?—Not more than from 2*s.* to 3*s.*

[*The Witness was ordered to withdraw.*]

Mr. *Thesiger* was heard in support of the vote.

Mr. *Wrangham* was heard in reply.

The Committee-room was cleared; on Counsel and Agents being called in, the Chairman informed them that the Committee had decided that the vote of John Ledwith should be struck off the poll.

Veneris, 21° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

21 April 1837.

THE names of the Members were called over; all present.

Mr. *Thesiger* suggested, that, with a view of expediting the proceedings and saving time, the Committee should decide upon the validity of the votes upon the evidence produced before them, without hearing the arguments of Counsel.

Mr. *Wrangham* acceded to the proposition.

Mr. *Harrison* then applied to the Committee to have summonses or notices, under the sanction of the Committee, headed as they were in the Galway case, in order to give them the authority of the Committee, issued to the voters to produce their deeds in the same form in which it was done in the Galway case, and that if they could not serve them on the individual, that service on the wife, son or daughter, or at the house, should be deemed good service. He stated as the ground of his application, that the persons who had been employed to serve the notices had been prevented doing so by violence and intimidation.

Mr. *Thesiger* opposed the application.

Mr. *Harrison* replied.

The Committee-room was cleared; on Counsel and Agents being called in, the Chairman informed them that the Committee had come to the following resolution:—

"That Mr. Harrison do bring forward evidence in support of his application."

William Morrison, sworn.

Examined by Mr. *Whitesides*.

William Morrison.

1244. WHERE do you live?—In the county of Longford.

1245. Were you employed to serve any notices on the voters in that county?—I was.

1246. When?—I was employed from the 18th of February to the 11th April.

1247. Who employed you to serve those notices?—I was employed on behalf of Mr. Fox.

1248. Did you serve any of those notices?—I did.

1249. How did you serve them?—Some personally and some in the house, and very few when the door was shut against me.

1250. How did you serve them in that case?—I put them over the door.

1251. Did you meet with any difficulty in trying to serve those notices?—I met with a great deal of difficulty in many cases.

1252. That is in the county of Longford?—Yes.

1253. Were you interrupted in the service of any notices on voters in the county of Longford?—I was.

1254. How were you interrupted, by whom, and when?—I was interrupted by a man named old M'Glynn.

1255. Was

1255. Was that at his house?—On his land.

1256. Is he a voter?—He is.

1257. What did he do?—He gave me every abuse but strokes.

1258. Were there any shouts or noise raised against you?—There was.

1259. What was it?—He told me to begone off his land; what brought me there?

1260. Was there any thing else said to you?—Yes.

1261. What was that?—He called me a Tory, and told me to begone off the place.

1262. Did he say any thing else to you?—He said, if I would not go, he would make me go.

1263. I suppose you did go?—I did.

1264. Were you prevented serving any notices?—I was.

1265. In any other part of the county?—I was.

1266 Was that about the same time?—It was not.

1267. After or before?—After.

1268. In what part of the county?—The barony of Ardagh.

1269. By Mr. *Austin.*] In what barony did old M'Glynn live?—Longford.

1270. By Mr. *Whitesides.*] Now you are speaking of the barony of Ardagh?—Yes.

1271. Who interrupted you there?—I was interrupted at a place called Cartnerwall.

1272. Were you trying to serve notices there?—I was.

1273. Were you interrupted there?—I was.

1274. Will you state by what persons?—I will.

1275. Were you going to serve a notice at that place?—I was going to serve a notice on Tom Hopkins.

1276. He is a voter, is he?—He is.

1277. Did you see Hopkins?—No.

1278. What was done to you at Tom Hopkins's house?—When I went up to the door to serve the notice, there was a girl in the garden, and she shouted to them to shut the door against me, and when I went up to the door, the door was slapped in my face by another girl.

1279. Did you try to get in?—She would not let me in.

1280. Was there any thing said to you by any body there?—Yes, after I had put the notice through the window, through a pane that was broken in it.

1281. What did they shout?—They shouted "mad dog!" after me, and sent the dogs after me.

1282. Who did this?—The servants about the house, and the people of Tom Hopkins.

1283. Did you make off?—I did.

1284. Did you try to serve notices in other places?—I did.

1285. Where?—A place called Carrickmoor, in the barony of Longford.

1286. What happened to you there?—I had to withdraw from the place; the parties followed me.

1287. By Mr. *Austin.*] Who was the voter?—A man of the name of Arthur Reed.

1288. By Mr. *Whitesides.*] You say you were forced to withdraw, by the party following you?—I was.

1289. Following you to do what?—I could not see; I did not wait for them.

1290. How many were there in that party?—I suppose between 50 and 60.

1291. What was their demeanour?—I do not know what their demeanour was; they shouted to me to stand, and I ran away.

1292. Did they say any thing to you?—Yes.

1293. What?—They asked me to wait, and asked me if I had any thing for them.

1294. There were 40 or 50 men running after you at the same time?—Not 40 or 50, but about 20, after me.

1295. Were you able to effect the service of the notices at that place?—Not at that time.

1296. Were you in fear of bodily harm happening to you, if you had attempted to serve the notices?—I was in bodily fear of my life, and I went to a magistrate and made application to him at the time.

1297. You were in bodily fear in attempting to serve the notice?—I was.

1298. You did not succeed in serving it?—Not on that day.

 1299. Was

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1299. Was there any other part of the county you went to serve notices in?—I did in different parts, but I was not abused.

1300. Did the treatment you received prevent you serving any of those notices?—

Mr. *Austin* objected to the question.

1301. Mr. *Whitesides.*] When did you stop serving notices?—On the 8th of April I dropped serving them.

1302. Would you, without assistance, undertake to serve notices on tenants to produce their leases in the county of Longford, in respect of this election petition?—

Mr. *Austin* objected to the question.

Mr. *Wrangham* was heard in answer to the objection.

The *Committee* were of opinion that the question could not be put.

Cross-examined by Mr. *Austin.*

1303. Why do you refer to this book, Mr. Morrison?—To keep me in memory of the day I was out, and the person I served, and how I served him.

1304. You have got no minute of any outrage in the case of old M'Glynn?—I kept it in my mind.

1305. Mr. *Whitesides.*] Do you know a man of the name of Armstrong, who was employed to serve notices?—I do.

1306. Do you know where he is?—I believe he is in Ireland.

1307. Mr. *Austin.*] All that you kept in your mind?—Certainly.

1308. I understand that old M'Glynn abused you?—He did.

1309. Did he remind you of any circumstance that might have taken place in the former part of your life?—No.

1310. He did not?—No.

1311. Then his abuse was not of that description?—No.

1312. Whatever the abuse was, you succeeded in serving him with the notice?—Yes, I did.

1313. And you was not knocked down?—No, nor struck.

1314. That is old M'Glynn?—Yes.

1315. Now, find one in your book, Tom Hopkins?—Here it is—[*pointing it out.*]

1316. Did you write this yourself?—I did.

1317. "Thomas Hopkins, 5th April;" is this a correct account of the transaction?—It is.

1318. "Served his house, servants; the shout riz, 'mad dog! Tory,'Tory!'" is that so?—Certainly.

1319. You say, "Tory" they called you?—Yes.

1320. Did they bellow it loud?—Yes.

1321. Did that not annoy you very much to be called a Tory?—It did not.

1322. Did it put you in peril of your life to be called a Tory?—They set the dogs after me.

1323. What sort of dogs?—A mastiff dog and a small dog.

1324. Did they tear the calf of your leg?—They did not; they came very near me, and I got up into a car, and they were very near getting upon the car.

1325. You popped that notice in, did you?—Yes, I did.

1326. Those two, therefore, I see you have put down as being served?—Yes.

1327. Now, find me Arthur Reed, will you?—I will; here it is—[*pointing out.*]

1328. I see against Arthur Reed, "8th April," you have put down "served personally"?—I did.

1329. Do you mean to say you did serve him?—I did on the 8th April.

1330. Is that so?—It is.

1331. Is that the man where you said you saw I do not how many people who called on you to stop, and you ran away?—That was two days after.

1332. Then two days after you served him personally?—I did serve him in the morning at six o'clock.

1333. When

1333. When did you begin to serve in the county of Longford?—From the 10th February to the 8th of April.

1334. Did you go on serving every day till the 8th April?—No, I did not.

1335. When did you discontinue?—I will show you from the book; I quit serving on the 17th February.

1336. When did you begin to serve again?—The 1st April.

1337. That was when the first election petition was superseded, and you began again on the 1st April, and continued till the 8th?—I did.

1338. How many people might you serve in the course of that time?—I should think beyond 25.

1339. Pray, are you known in the county of Longford?—I am known very well.

1340. Do you believe that that voter, old M'Glynn, as you call him, knew you?—He did, he was a neighbour of my own.

1341. Did Hopkins know you?—Hopkins was not there at the house.

1342. Did Hopkins know you?—I do not think he did.

1343. Did the two girls know you?—I do not think they did.

1344. Did Arthur Reed know you?—He did know me well.

1345. You believe Hopkins did know you, and old M'Glynn certainly did?—Yes.

1346. Did they know you had been dismissed from the police?—I do not doubt M'Glynn knew it.

1347. Do you mean to say you doubt that any person who had the happiness of knowing you in the county of Longford did know you was dismissed from the police?—I was dismissed from it, but I was offered the situation afterwards, and I would not take it.

1348. Did not they know that you had been dismissed from the police?—I dare say some of them did.

1349. Did not all the neighbourhood know it?—It was known in some places.

1350. Were not you dismissed from the police for some awkward offence, and if so, what was it?—I do not know whether it was or not.

1351. What was it?—I cannot say, but I was offered the situation afterwards in the police, and I would not take it.

1352. You refused it with indignation?—I refused it.

1353. With indignation?—No.

1354. What was the cause of your refusing it?—I could do better at home on my land.

1355. Was you dismissed for any offence?—I cannot say; I do not know for what offence I was dismissed.

1356. Then I understand you distinctly to swear you do not know what you were dismissed for?—I do not know.

1357. That you swear once and again?—I do not know.

1358. I ask you once more; you swear you do not know what you were dismissed for?—No.

1359. Were you never informed by the police what you were dismissed for?—I was.

1360. Was you ever tried in a court of justice?—Yes, I was.

1361. As a criminal?—As a criminal I was.

1362. Pray, sir, what were you tried for?—For being attacked on my duty, and firing at a mob.

1363. It was in consequence of your conduct on that occasion that you was dismissed from the police, was it not?—I do not think it was.

1364. What did they tell you you was dismissed for?—It was not for that.

1365. What was it?—I cannot say.

1366. Do you mean to say you will swear you do not know what you was dismissed for?—I do not know.

1367. You say you were told what it was you were dismissed for, but you cannot tell me what it was?—I do not know; I cannot answer what I was dismissed for; but after I was tried and acquitted by the jury, I was offered my situation back again, and I refused it.

1368. When was you dismissed from the police?—About last March four years, about that time.

1369. Was that the time when you fired at the mob?—I fired at them before that.

 1370. Were

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1370. Were you not dismissed immediately after you fired at the mob, or shortly after?—I was not.

1371. How long after?—From before Christmas to March.

1372. When did you fire at them, at Christmas or before Christmas?—Before Christmas.

1373. When was you tried?—At the assizes afterwards.

1374. In what month were those assizes?—I believe they were in March.

1375. And after you was tried in March, you was dismissed from the police?—I was dismissed before that.

1376. How long before?—A few days.

1377. Was it not known to all your acquaintances in the county of Longford that you had been tried for firing at a mob?—Of course it was.

1378. Do not you believe this man knew you had been tried for firing at the mob; I am speaking of the three persons, Hopkins, Reed and old M'Glynn?—I do not doubt but that they did.

1379. Was it not unfortunately the case, that when you fired at the mob, some person was killed by that act of yours?—There was.

1380. And that you believe was known to these people?—I believe it was.

1381. At the time when you came to serve election notices on them?—They knew it before.

1382. You have told us you were employed on behalf of Mr. Fox, who paid you, for instance?—I was paid nothing for it.

1383. Who hired you?—I was not hired at all.

1384. Who engaged you?—A gentleman not far off.

1385. What is his name?—Mr. Courtenay sent me.

1386. A gentleman at Longford, was it?—Yes.

1387. Did that gentleman know you had shot at a man in some attack or other, and killed him?—I have no doubt that he did.

1388. Therefore this was known to him, and it was known also to the persons to whom you were sent to serve notices?—I do not doubt but that it was.

Re-examined by Mr. *Wrangham.*

1389. Do I understand you to say, before you stood your trial for this attack on the mob, this battle between you and the mob, you was dismissed from your situation in the police?—I was.

1390. You was tried before a judge and jury at the assizes?—I was.

1391. Were you acquitted?—I was.

1392. And immediately after that you was again offered your situation in the police, and you refused it?—Yes.

Examined by the *Committee.*

1393. I think you said you served about 25 notices?—I think after the 17th February I served about 25.

1394. And of those 25 you found a difficulty in serving three?—Only two after that; one was before it.

1395. Was you ordered to serve other notices besides that; had you other notices put in your possession to serve; were these notices given to you to serve besides those 25?—There were.

1396. Why did you not serve them?—One I made a mistake in, and lost it.

1397. But had you any number of notices given to you to serve, which, in consequence of the difficulty you met with, you did not serve?—No; I served them all, all I got.

1398. You was not deterred by the difficulties you met with from serving any other?—I was done all but three or four notices, when I was attacked at Reed's place.

1399. Then I understand you to say you served all the notices which you was ordered by Mr. Fox's agent to serve?—I did, all but one.

1400. All but one which you lost?—Yes.

1401. I think you said that you served that notice two days after, which you had been prevented from doing by the 50 men following you?—I did; I met him in the morning, and served it on him at six o'clock.

1402. Before that 17th February did you serve a good many notices?—I did; 33 before that.

1403. Had you any difficulty in serving those notices?—Only one of the 33.

1404. And

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1404. And pray what was that difficulty; what was his name?—That was old M'Glynn.

1405. There were three cases of difficulty; one out of the 32, and two out of the 25?—That is the case.

1406. Then you served 33 on the first occasion, and 25 on the other?—Yes, I did.

1407. Out of the 33 and 25 you had only one case where you was not able, or where you thought it dangerous to serve the notice?—Only one.

1408. You served all but that one?—Yes.

1409. Out of the 33 and 25 you served all but one?—Yes; there may be two or three more, there may be a few more than the 25.

1410. That is not what I asked you; out of the 32 notices which you served on the first occasion, and the 25 on the other, how many notices were there that you did not serve, that you was unable to serve?—None but the one I lost.

1411. You served the whole?—Yes, I served the whole of them.

[*The Witness was ordered to withdraw.*]

Robert Cox, sworn.

Examined by Mr. *Wrangham.*

Robert Cox.

1412. DO you remember going to value several farms in the barony of Abbyshrule?—Yes.

1413. When was that?—On the 14th of February.

1414. Amongst others, did you go to value the farm of a voter of the name of Matthias M'Cormick?—I did.

1415. Was any body with you at the time you were so going?—Matthew Shaw, and a man of the name of William Plant.

1416. Now, had you with you any notices to produce documents, one of which was to be served on that voter M'Cormick?—Yes.

1417. Which of you had the notice on his person?—Shaw.

1418. You were with him and a person of the name of Plant?—Yes.

1419. Did you go on the farm of M'Cormick?—Yes.

1420. Did you or any of you attempt to serve that notice on the voter?—Shaw put out the notice to serve it on M'Cormick.

1421. State what took place on Shaw's producing the notice to the voter M'Cormick?—There were four men, who were armed with two spades, a pitchfork and a shovel.

1422. That you saw?—Yes.

1423. Go on and tell us what they did with the spades, the pitchfork and the shovel?—They ordered us off the land; the moment they did that, I called on the father, who was an elderly man; I cannot say whether he was the father; I called on Matthias M'Cormick, and requested that he would keep the people back; that if we had acted wrong the law was open to them, and not to take the law in their own hand and ill-treat us; the man with the pitchfork came up to Plant, and struck him with it across his head, and broke the stick on his head.

1424. The *Committee.*] Plant, I presume, accompanied you?—He did.

1425. What do you mean by the stick; do you mean the wooden handle of the pitchfork?—Yes; he kept the iron in his hand, and struck him across the head with it; at the same moment another man came up with a spade, and struck him across the arm, and Plant nearly came to the ground, but did not fall immediately; and Plant ran away.

1426. By Mr. *Wrangham.*] Tell us what else took place?—The man with the spade came up to Shaw.

1427. By the *Committee.*] What was the name of the man who was struck with the spade?—Plant was struck with the spade.

1428. By Mr. *Wrangham.*] You say you were with Shaw?—Yes, the man with the spade came up, and asked Shaw what brought him there; and he gave him a thrust, or rather a punch, with the spade in the back; then the man with the pitchfork turned on me, and he asked me what brought me there; and I said, "Boys, don't ill-treat us; if we are trespassers, we will go off quietly, but don't take the law in your own hands." The other man with the spade came and struck me on the breast with the iron of the spade. At that time they were shouting

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" mad dog !" and the country rose up, and came running out with their coats off, crying " mad dog, mad dog !"

1429. You mean by the country the country people ?—Yes.

1430. Is " mad dog " an ordinary cry for the assembling of the populace?—I consider so. I considered that I was to be killed on the spot, or else to make the best of my way off. I took out a case of pistols I had with me, and I was forced to go backward off the land, and put the pistols to one and the other to keep them off from me; and in that way I got off, or else I think we should have lost our lives.

1431. Did you think it was necessary for you, to preserve your lives, to produce weapons of defence?—I should not have taken out pistols, if I was not hard run and in danger of my life ; I considered that we should all be killed on the spot.

1432. Was the demeanour of the persons who assaulted you of such a nature as to put you in bodily fear of your life?—Certainly.

1433. Were you prevented serving the notice by this violence?—Certainly; if we had served the notice, we should not have left the place with our lives.

1434-5. I understand the circumstances to be these: Shaw, the man with you, was in the act of tendering the notice; he had a paper in his hand, which he was going to serve on M'Cormick at the time the people came on with these unlawful weapons; have you ever since that time succeeded in serving a notice on M'Cormick?—I never applied.

1436. So far as you know, has any notice ever been served on him?—I do not know whether there was or not, for I did not go to the land any more.

1437. You say you never applied; why did you not apply again?—Because I would not venture my life in it.

1438. Then was the reason why you never repeated the attempt to serve the notice on the voter, that you believed your life was in danger if you made the attempt?—I am sure it would.

1439. At this moment would you attempt to serve the notice on this voter without assistance?—I would not.

1440. By the *Committee.*] Were you the notice-server yourself, or did you only go to value?—Shaw and I went to value, and with the intention of serving notices.

1441. You went to value and serve notices at the same time?—Yes.

1442. Why did you undertake a double duty at the same time?—Shaw brought the notices with him to my house, and he said we would serve the notices as we went on; he brought them to serve; I know no more about it.

1443. Pray did you leave that notice; was it actually served; was it left either with the man or on the land, or close to it?—Not at all, we were in dread to leave it.

1444. By Mr. *Wrangham*] You have stated that the assault was committed, and a great part of it committed, on Plant?—Yes, first it was.

1445. And that he was driven off; he ran for his life?—He did run.

Cross-examined by Mr. *Austin.*

1446. How many of you went together to this man's land?—Three.

1447. When did you begin to value?—The 14th.

1448. When did you first of all begin to value, for the purpose of giving evidence here?—I valued a farm of M'Cormick's previous to the 14th, but that was with another man, in company with Shaw ; we commenced on the 14th.

1449. I want to know how long you were engaged in this occupation, how many days, when did you begin, and when did you leave off?—We began on the 14th February.

1450. When did you leave off?—I really do not know, I cannot recollect the day.

1451. You have not got a memorandum-book?—I have, but I suppose it was about four or five days we were out.

1452. What was the district you were appointed to value?—Abbyshrule.

1453. No other district than that?—A few cases in another.

1454. Principally that district?—Yes.

1455. Were you engaged all those five days?—Part of the day I was; I did not do much that day; I went to complain to the magistrates on account of an attack made on me that day, and I did not do any thing after on that day.

1456. Was

1456. Was this the first day you began valuing?—With Shaw it was.
1457. Never mind Shaw; throw him overboard?—I valued one farm previously.
1458. The second was in company with Shaw?—Yes.
1459. Whose farm did you value previously?—James M'Cormick's.
1460. What was the other name?—M'Cormick, who was tried here the other day.
1461. You had valued James M'Cormick's farm before?—Yes.
1462. On what day did you value James M'Cormick's land?—It was about two or three days previous to the 14th.
1463. When you valued that farm, did you go alone or in company?—I had a man of the name of Morgan with me.
1464. Did you find James M'Cormick at home?—We did not look for him, for we had no notice to leave.
1465. Did you go on his land?—We did.
1466. Did you ask permission?—No.
1467. You went on his land and valued it?—Yes.
1468. Did you see any body on it, or did any body see you there?—We saw different people; I did not go to let him know it.
1469. Did you meet with any resistance there?—No.
1470. I suppose they did not see your pistols sticking out of your pocket?—They were not sticking out.
1471. Did they see your pistols when you valued James M'Cormick's property?—No, they did not; there was no attack upon me then.
1472. At that time they did not see your pistols?—No; this is James M'Cormick, the other was Matthias M'Cormick; at that time they did not see my pistols.
1473. You met with no interruption in valuing that land?—No.
1474. We will pass over the day when you tried to value Matthias M'Cormick's land; when was the next attempt of yours?—On the 14th.
1475. That was after you tried Matthias M'Cormick's?—No, it was in the act.
1476. Whom did you try to value next?—We did not do more that day.
1477. Whom did you try to value next; never mind the day?—I think a man of the name of Kearney.
1478. Did you go alone, or in company?—With Shaw.
1479. Did you value his land?—Yes.
1480. Did you see Kearney?—No.
1481. Did you see any body on his land?—No.
1482. Did you ask for leave?—No, I did not; I would rather go unknown to do it if I could, lest I should be attacked.
1483. You were not attacked there?—No.
1484. Did you find any difficulty there?—No.
1485. Not the least?—No.
1486. Who was the next person?—A man of the name of Millivhill.
1487. Were you attacked there?—No.
1488. Did you ask leave to go on his property?—No.
1489. Did you see him?—I did not, because he was ploughing. I understood the man whose land I went to value was dead, and it had come into his son's hands.
1490. Did you value land after that?—I did.
1491. Did you serve any notices after that?—No, nor did I attempt it.
1492. Did I understand you to say, that in any of these instances you asked leave to value the land?—No.
1493. Did you succeed in valuing the land in all, excepting Matthias M'Cormick's land?—I valued Matthias M'Cormick's land.
1494. Did you value the land in all the cases?—Yes, there were two cases where I could not get on the land; I was beat off by a party rising out on me, and I was forced to go off the land.
1495. Did you attempt to serve notices there?—I did not.
1496. The *Committee.*] Who were they?—Men of the name of Nolan and Jordan.
1497. Mr. *Austin.*] I think you said you valued Matthias M'Cormick's land?—Yes.
1498. Did you value it in company with Shaw and Plant?—Yes.

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1499. Did you all three go together?—Yes.

1500. Did you go at once on the land?—Certainly; we could not get to the house without going on the land first.

1501. Did you at once go to the land?—No, we looked on the land first, and then came to serve the notices.

1502. You valued the land without leave, and then came to serve the notices; is that so?—That is so, certainly.

1503. Were your pistols in your pocket at the time you went on without leave to value these men's lands?—They were.

1504. Loaded?—Yes.

1505. With shot or with ball?—One loaded with ball, and the other with swan-drops.

1506. What are swan-drops?—Rather larger than duck-shot.

1507. Are they a fatal ball?—I think they are.

1508. If you fired them into a man's bosom perhaps he would die?—I think he might.

1509. At this time you had only valued the land of James M'Cormick?—The way I would state the case.

1510. Be so good as just to answer my question; at the time you went with these people on Matthias M'Cormick's land, had you valued any other than James M'Cormick's?—Yes.

1511. Who?—A man of the name of Farrell.

1512. Then you were not correct in saying you had only valued James M'Cormick's?—That was previous to Shaw's coming with me.

1513. That was the first time you went to value with Shaw?—Yes.

1514. Had Shaw any pistols in his pocket?—I think not.

1515. Had he any arms?—I think not.

1516. Had Morgan any?—Morgan was not with us; it was Plant.

1517. Had Plant any?—He had not.

1518. Had you been in the habit of valuing property with pistols in your pocket before?—I was in the habit of carrying pistols in my pocket for my own preservation.

1519. And loaded too?—Certainly.

1520. Pray what is your business?—I was acting agent for a gentleman, and I was waylaid in the year 1819, and was fired at, and my father was shot in the arm, and the man that was with us was shot in the head, and I carried always arms for my own protection.

1521. Do I understand you to say you was subject to some dislike in the neighbourhood?—I had 470*l.* in my pocket, and they thought to rob me of it.

1522. It was not from any personal dislike or personal motives?—I think not.

1523. Do I understand you to say you have carried arms in your pocket ever since as a protection against robbery?—I carry arms always with me as a protection.

1524. Then you carried them with you on account of your money, to protect you against robbery?—Yes, and for the protection of my life.

1525. I want to hear from you an explanation of the reason of your going armed with pistols; you tell me the reason was, you was attacked in 1819?—I was.

1526. And it was an attack by certain persons who were attempting to rob you?—I think they wanted to get my money and to kill me.

1527. To kill you and get the money?—I do not know.

1528. I want to know whether you were, or not, a person subject to personal dislike in that neighbourhood?—Part of the time I was; I went into the place to protect property for Counsellor Ford.

1529. When was that?—It commenced in the year 1815; there had been another man displaced out of the situation, and I was attacked in every direction I went.

1530. Was this in the county of Longford?—In the county of Westmeath.

1531. I want to know what your reason is for constantly carrying pistols about you?—I carried them for the protection of myself.

1532. Is it from an apprehension of robbery or not?—Lest they do me injury; they have destroyed cattle of mine.

1533. I want to know whether it is for fear of robbery you carry pistols, or whether

whether it is that you are a person for some reason or other subject to general dislike?—I think a little of both.

1534. You are a person subject to some dislike?—Yes.

1535. Was this known at the time you were employed to value land; did the parties who employed you to value it know you carried pistols about you?—I cannot say.

1436. Did you inform them that you carried pistols about you?—No, I did not.

1437. But you did carry pistols about you on all these occasions?—I did.

1438. When you valued the land of Matthias M'Cormick, did Shaw and Plant take any part in it?—Shaw did.

1539. Who was the regular notice-server, Shaw, Plant, or you?—Shaw carried the papers to serve.

1540. You and Shaw looked over the property, and what did Plant do?—He walked with us.

1541. How long were you occupied in valuing the land?—I suppose we were about three quarters of an hour on the land before we were attacked.

1542. Had you finished your valuation?—We had; we had walked round the land and finished our valuation, and had come up to the house to inspect the house, to see what condition it was in, and to serve the notice.

1543. Had you seen anybody on the land during this time?—Not anybody we met, but one man was outside the ditch, and he ran up to M'Cormick before us.

1544. Did you rap at the door?—The door was open.

1545. Did you go in?—We did not.

1546. Who produced the notice?—Shaw.

1547. To whom did he offer it?—He had it in his hand, and was going to hand it to Matthias M'Cormick in the door-way.

1548. Was Matthias M'Cormick standing in the door-way?—He was stationed outside the door.

1549. How long had he been standing there?—We called him out; we asked if he was there, and they said "Yes," and he came out to us.

1550. Then you tendered him this notice?—Shaw did.

1551. During the valuing of the land you met with no interruption?—No; we met with no one to interrupt us.

1552. Did you leave the notice, or did you bring it off with you?—We did not leave it, but brought it with us.

1553. Did you pull out your pistols on the land?—No.

1554. Where did you pull out your pistols?—Not till I was struck, and the other man was struck.

1555. Where was it?—I think about 30 perches above the house, going on towards the road to quit the land.

1556. At that time you saw Plant had been struck twice?—Yes, twice.

1557. He had been struck with the handle of the pitchfork?—Yes.

1558. They did not present the sharp end of the pitchfork to him, but struck him with the handle?—Yes.

1559. And with the handle of the spade too?—No; with the iron part of the spade; they struck him across the arm.

1560. Did he go off with you, Plant?—He went faster than I did, for he ran as fast as he could.

1561. He was not knocked down?—No, I saw the bruise; he took off his coat and showed me where he was struck on the arm, and he was hardly able to hold up his hand to his head.

1562. There was a contusion and an extravasation of blood?—I cannot say.

1563. Has he been disabled, or is his arm still in use to serve another notice, or draw another trigger?—I have seen him since.

1564. His arm was as well as ever?—I suppose it is.

1565. To whom was that shove or poke directed, was it to you?—Shaw got the shove.

1566. In what part of his person was the shove applied?—In the middle of his back.

1567. Not lower?—Not lower.

1568. With which end of the pitchfork was it applied?—The iron part.

1569. Was he killed?—No.

1570. Did they kill him?—No.

1571. Did it hurt him?—I cannot say.

 1572. Did

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1572. Did it appear to hurt him; do you mean to say it was a blow of the least importance?—It was a punch.

1573. Was this after the blow with the pitchfork?—Yes.

1574. And after the other blows?—Yes, it was.

1575. The punch was given him by the same man?—The same man who struck Plant struck him.

1576. Did Shaw apply a plaster to his back?—I cannot say.

1577. Was not the blow applied to Shaw, which you call a shove; was it any thing else than applying the spade to his back and shoving him on?—It was taking it in the two hands and thrusting him in the back.

1578. You saw him after the punch had been applied; did it appear to hurt him?—He was not much hurt; I think not.

1579. Was he hurt at all?—I cannot say.

1580. Do you believe it from the appearance of it?—I consider a man getting a punch in the loins from a spade, cannot but be hurt.

1581. I want to know how long after this it was you held out your pistols, the one loaded with ball, the other with swan-shot?—Not till I was struck twice myself.

1582. Where was that?—The first I got was a punch in the shoulder, and a blow in the breast, which hurt me very much, and I was affected for a month after, which prevented me from drawing my breath, and I could hardly turn in my bed.

1583. Was that the time when you drew out your pistols?—It was after I got that.

1584. And then you went off?—I did.

1585. After this punch you got, which prevented you drawing your breath, you valued somebody else's property?—No.

1586. Not at all?—Not on that day.

1587. You say you could not draw your breath for a month?—I could hardly turn in my bed for a month.

1588. But perhaps you were enabled to value land after that?—I did value land after that.

1589. Whose land?—Different people.

1590. With the pistols in your pocket?—Yes.

1591. Loaded also with ball and swan-shot?—The same lead is in still.

1592. Had you notices with you then?—We gave up the notices, and would not serve them; we were in dread to serve them.

Examined by the *Committee.*

1593. You mean to say it was serving the notice, and not valuing the land, that gave the offence?—We considered we could value the land, but the moment we left a notice, we considered the notice would go round, and the country would rise out on us.

1594. But you think it was the serving of the notice, and not the valuing the land, which gave that offence which caused the country to rise?—We could value the land without apprising the country we were valuing land; the people would not know we were on the land, and we could value it.

1595. The people would not know what you were about?—They would not, but on leaving the notice, and on their reading the notice, they would know what it was; and my opinion and Shaw's opinion was, that this would go round, and the country would rise out on us.

1596. Serving the notice was that which you thought the dangerous part of your calling?—Certainly so.

Re-examined by Mr. *Wrangham.*

1597. My friend asked you what was the reason why you carried loaded pistols, and you stated it was for your protection against robbery and against any attack on you, owing to a personal dislike existing?—Yes.

1598. I ask you what was the cause of that personal dislike which you believe to have existed against you?—The only thing, I consider, was replacing another man in his situation in doing business with Counsellor Ford.

1599. Do you mean to state to the Committee you believed your life was in danger, and you was obliged to carry arms about you for your own protection, because

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because you had taken a situation, and had incurred the public dislike for taking the place of another person?—Certainly.

1600. Was it after this that this attack was made on you and your father, when one man was shot through the head and your father through the arm?—It was.

1601. And did that appear to you to be a sufficient ground for rendering it very advisable that you should have arms on your person for your own protection?—Yes, I was advised to carry arms.

1602. I think you told the Committee you gave up serving notices from the time this attack was made upon you?—Certainly, I would not serve them.

Examined by the *Committee.*

1603. Do you happen to recollect how many notices you served?—Not one of them, none at all; the first one we commenced to serve we were attacked on.

1604. I distinctly understand you to say, you never attempted to serve more than one notice?—No more, and then we were attacked on that first notice.

1605. And not being able to serve that notice, you did not attempt to serve any other?—No.

1606. For fear of the consequences?—Certainly.

1607. How many notices were given you to serve?—I think about 26.

1608. Can you tell me the names of any of those persons on whom the notices were to be served?—I cannot recollect them.

1609. I did not ask you the whole, but I ask you of some?—There was Matthias M'Cormick, Nolan, Farrell and Jordan.

1610. What became of those notices after you gave up the attempt to serve them?—Shaw brought them from me and out of my company; I do not know what became of them.

1611. You gave them to Shaw?—Shaw brought them with him.

[*The Witness was ordered to withdraw.*]

Matthew Shaw, sworn.

Matthew Shaw.

Examined by Mr. *Harrison.*

1612. DID you accompany Cox to value the lands in the barony of Abbyshrule?—I did.

1613. What day was it you went with him?—On the 14th of February.

1614. Did you go to the land of a man named Matthias M'Cormick?—What is the name of the townland?

1615. Did you go to his land at Lishmahan?—I did.

1616. Did you walk over the land and go up towards the house?—I went up to M'Cormick's house, after walking over a great part of the land.

1617. Did you see M'Cormick?—I did.

1618. Had you a notice to serve on him?—I had.

1619. What did you do with that; did you take it out, and hand it to him?—I held it in my hand.

1620. Where was he?—He was outside his own door, speaking to me in the street.

1621. What do you mean by the street?—What we call the street, the place outside the door.

1622. Having it in your hand in that way, what took place?—We were ordered by four men to quit the place immediately.

1623. Were you attacked?—Yes.

1624. Who was attacked first?—The thing was general; we were ordered immediately to quit the place. Cox, with another man who came with us, was first attacked.

1625. What was the name of the other man?—Plant.

1626. Plant was attacked, and Cox was attacked?—They were.

1627. What happened to you?—They put either a spade or a shovel to my back, and gave me a push, and desired me to begone likewise.

1628. Were you at that time going off the land?—Yes, in the act of going off.

1629. What sort of a shove was it?—I got no injury by it; they put it to my back and pushed me on.

1630. By Mr. *Austin.*] Helped you off?—Yes.

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1631. Mr. *Harrison.*] What happened to Plant?—Plant got a blow from a pitchfork.

1632. The handle of the fork?—The handle of the fork, which broke the handle.

1633. Did he also get another blow?—Another blow on the arm with what we call the toy in Ireland.

1634. What we call here a spade?—It is the same character as a spade in this country to dig.

1635. In what way was Cox attacked?—I saw Cox get two or three punches; he got one on the breast and another blow on the arm.

1636. Did you run away to get off the land?—Yes, we got away as fast as we could.

1637. Cox had pistols, had he not?—He had.

1638. Did he pull out his pistols?—He did when he was struck the second time.

1639. Had you a considerable number of notices with you to serve?—I had.

1640. Did you, after this, attempt to serve any of the other notices?—No, not one.

1641. What did you do with them?—I returned them the next morning; I sent them into Longford.

1642. Can you tell how many you had, about what number?—I cannot say exactly, but I had a notice for every man whose land was returned to me to view.

1643. Does that enable you to state what was about the number?—As well as I recollect, I had about 23 or 24; I had beyond 20.

1644. After this took place at Matthias Cormick's, you returned them all?—Yes, I did not attempt to serve any more; I returned them, because I thought it would be at the peril of my life if I offered to serve them.

Cross-examined by Mr. *Austin.*

1645. Have you ever served any notice at all?—Not one.

1646. You had not served any before?—Not one of them.

1647. Before this affair took place, you had not served any before the 14th February?—Not one.

1648. You were so unlucky then as to go with Cox for the first time?—That was the first time I tried to serve a notice, and to look at the land too.

1649. You say you had a notice for every man who was returned to you to view?—I had.

1650. Do you mean to say you were ordered to view the property of so many people?—There was a list given of so many men of such a townland, and I was to view them.

1651. And for every man whose farm you were ordered to value there was a notice?—There was a notice given to me.

1652. Notice was given to you whether you knew the farm was of sufficient value or not?—I could not know it at all till I saw the land.

1653. But they prepared the notices ready?—Yes, they were all in print; I got the notices without being directed, and any man I thought I could give a notice to I directed it to him.

1654. You were ordered to give a notice to every man whose farm you were directed to value?—Yes, that was the way.

1655. Had you ink and pen, and all that apparatus about you, to fill up notices with?—I had.

1656. Did they appear upon you; where was your ink; did you carry it like an exciseman?—I had an ink-bottle; I could carry it in my pocket without the ink getting out.

1657. And a pen?—Yes.

1658. That was the way you were armed when you went on this property?—Yes.

1659. Did you ask leave to go on the land?—No.

1660. Then you went on the land without any leave to value the land?—I did.

1661. And if, in your opinion, the land was not of a certain value, you were to take out a notice, and write his name at the bottom of the notice, and hand it to him?

him?—The operation was, any man I thought right, whose land I valued, I was to serve a notice on.

1662. Exercising a discretion about it?—I was to view every man's farm that was returned to me, and when I had that view, I was to serve a notice on that man.

1663. Did you know Matthias M'Cormick?—I knew him personally; I did not till I called on him.

1664. You do not know whether he is a hot-headed man or not?—He is an old man.

1665. Was he in a passion?—No, he seemed very quiet; the old man did.

1666. There were four of them you saw?—Yes.

1667. And there were three of you?—Yes.

1668. Did any conversation take place between you, Cox, and the four men?
—No; Cox entreated them not to do us any violence, and we would all quit the place.

1669. Did you talk to them at the door, I want to know?—No more than what I talked to the old man.

1670. Have you valued any other farms since?—I have.

1671. How many?—I suppose about 20.

1672. In that same barony?—Yes, in that same barony, and some in another barony.

1673. Some in that same barony, and a few in another, I suppose?—Yes.

1674. Have you succeeded in valuing them all?—I have.

1675. Although you never asked any leave of the persons to go over their lands?—Never.

1676. You met with no obstruction in that occupation?—Not the least.

1677. Was Cox with you in those latter valuations?—He was.

1678. Did you go about with pistols in each pocket?—I did not.

1679. Did you know that Cox had had pistols in his pocket?—I know he had them that day.

1680. Why do you know he had them that day?—He asked me if I would go to his house; he asked me, "Did I bring pistols;" and he said it was unsafe to go without them.

1681. Cox said that to you?—He did.

1682. Did you go with pistols to value the other 20 places after this?—I did.

1683. Did you never pull them out?—No, I had no occasion.

1684. Did you meet with any obstruction?—Not the least.

Re-examined by Mr. *Harrison.*

1685. When you went to Matthias M'Cormick, and previous to that time, you never carried pistols?—[*No answer.*]

1686. Had you ever anybody shot through the head close to you, or a relative wounded?—No.

1687. That never happened to you?—I do not recollect.

1688. Did I understand you to say, after the attack was made on you at M'Cormick's, you did carry pistols?—Yes.

1689. After that, you followed Cox's example, and carried a pair of pistols; you never attempted to serve a notice afterwards?—Never.

1690. You never had occasion to pull out your pistols in valuing land?—No.

1691. The *Committee.*] You say you returned the notices in consequence of the reception you met with; you returned the notices, and did not serve them?—I did the next morning.

1692. Did you know whether any of the persons were served afterwards by other persons?—I cannot say.

1693. In valuing the different lands, did you meet with the tenants generally, or not; when you went to value other farms, did you see the tenants?—No; we never called or asked for them.

1694. In fact, you kept out of the way as much as you could?—We did not ask, because we did not like them to know what we were about at all.

[*The Witness was ordered to withdraw.*]

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Mr. *Harrison* stated, that if the Committee did not think this evidence sufficient on the point, he had other witnesses who had not yet arrived from Ireland, but who were expected the beginning of the week.

The Committee resolved that Mr. Harrison should finish his evidence on the point before they decided it, and adjourned the consideration of it until the further evidence was produced.

Mr. *Austin* then requested that the Committee would direct that they should be furnished every evening with a list of the votes that were intended to be objected to on the following day.

Mr. *Harrison* objected to that.

The Committee directed that such a list should be furnished, containing the names of ten votes objected to.

Mr. *Whitesides.*] The vote we now object to is that of Matthew Donohoe; 261 on the poll, 73 on the list of objections, and in the barony of Longford.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Wrangham.*

Mr. *John V. Crawford.*

1695. DO you produce the affidavit of registration of this voter?—I do.

[*The following Document was then handed in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th November 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Matthew Donohoe, of Drummond, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from the houses and land of the clear yearly value of 10*l.*, above all rents and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Drummond, barony of Longford, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date 1st May 1822; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the persons or person who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Matthew Donohoe.

Sworn and subscribed before me, in open Court, this 15th day of November 1832.

J. Doherty, Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Matthew Donohoe, of Drummond, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate in Drummond, barony of Longford, in this county.

J. Doherty,
Deputy Assistant Barrister.

Dated this 15th November 1832, at Longford.

John V. Crawford, Clerk of the Peace.

James Ganly, sworn.

Examined by Mr. *Whitesides.*

James Ganly.

1696. DID you attend the registering sessions of Longford in November 1832?—I did.

1697. Were you employed to take votes there?—I was.

1698. Do you recollect a man of the name of Matthew Donohoe applying to be registered at that sessions?—Yes.

1699. Was

1699. Was he objected to?—He was.

1700. On which side was he objected to?—He was objected to by Counsellor Smylie and Mr. Griffith.

1701. Mr. Griffith is an attorney?—Yes.

1702. Was it on the ground of value he was objected to?—It was.

1703. *Committee.*] Who was he objected to by; in whose interest?—I understood they were employed by Mr. Lefroy.

Cross-examined by Mr. *Robinson.*

1704. You say he was objected to?—He was.

1705. Do you recollect distinctly the name of Matthew Donohoe being discussed?—I recollect it from the note I took then.

1706. What note?—This paper.

1707. Is that paper you now hold in your hand a note you then made?—It is.

1708. That same paper?—Yes, and the same writing.

1709. Do you know Matthew Donohoe?—Not personally.

1710. Is there any other person of that name amongst the voters?—I do not know.

1711. Do you know where he lives?—No.

1712. How do you know that is the person there objected to?—I know from my note a person of that name was objected to, that came to register.

1713. What place does he describe himself of in his affidavit?—I have not the account of his residence in my note.

1714. Have you any recollection of his being objected to, excepting from that memorandum you have in your hand?—Not the slightest.

1715. Will you allow me to look at that?—I will—[*handing the book to the learned Counsel.*]

1716. The *Committee.*] Were you a poll-clerk on that occasion?—No; this was at the registry, the general registry under the Reform Act.

1717. What is your general business?—A shopkeeper, and an auctioneer, a little.

1718. Mr. *Robinson.*] Are you an agent in the service of the petitioner, Mr. Fox; were you at the election?—No.

1719. Did not you keep a house of entertainment for his voters?—I did; the house I usually live in.

1720. Where is that?—In Longford town.

1721. Who paid you for that?—I am not paid yet for it.

1722. At whose instance did you keep that house open for the voters?—Captain Walker's.

1723. Is he a person in Mr. Fox's interest?—I believe he is.

1724. The persons who frequented your house were persons who voted on that side?—I do not know how they voted; I only went to the Court-house when I was voting myself.

1725. Do you mean to say you do not know to what party they belonged?—I believe they belonged to Mr. Fox's party.

1726. Have you any doubt about it?—I have not the slightest doubt about it; at the same time I did not see them vote.

1727. Was there some sort of accident happened at your house; was there some misfortune?—Not at my house.

1728. Did not you get into some trouble about it?—I did get into a good deal of trouble; it was very revolting to my feelings.

1729. What was it?—A woman swore that I shot a man from my house at the election, for which she is now lying under a charge of perjury in Longford gaol, at the instance of the jury who tried me.

1730. You was tried?—I was.

1731. And acquitted?—I was.

1732. And I suppose, then, somebody did meet with his death in that way?—Yes, but not in my house; it was in a street close by my house.

1733. Will you be so good as to tell me how you know this voter was objected to by this memorandum?—There is the word "against" written at the bottom.

1734. From that you know he was objected to?—Yes.

1735. Do you know what took place during the objection; do you recollect any sort of question that was put to him?—I do not.

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1736. Do you recollect any particular person that put a question to him?—I recollect that every man——

1737. Do you recollect any particular person putting any question to Matthew Donohoe; or do you merely recollect, from seeing this, there was an argument about him?—I recollect, from seeing this note, he was cross-examined by Counsellor Smylie.

1738. Do you mean to say every person against whom those letters "*ad.*" are written was cross-examined by Counsellor Smylie?—Every person against whom the word "against" is written, was, because "*ad.*" signifies admitted.

1739. This word "*against*" shows that that person was objected to by Counsellor Smylie; is that so?—It is.

1740. Was Counsellor Smylie there all the time?—He was.

1741. How long did this last?—I think about seven or eight days from the time when Mr. Doherty, the revising barrister, came down to assist the other barrister, who had arrived several days before.

1742. Did any one else appear besides Counsellor Smylie?—Mr. Griffiths.

1743. I mean on the same side as Counsellor Smylie?—Yes, Mr. Griffiths.

1744. Is he a counsel too?—I believe he is a solicitor.

1745. Did he object to anybody?—He gave his suggestions to Counsellor Smylie on that occasion, and Counsellor Smylie made the objection.

1746. Do you mean to say in every instance Counsellor Smylie cross-examined the party wherever that word "against" is written at the bottom?—Yes.

1747. That the questions were put by Counsellor Smylie, and not by anybody else?—Certainly, not by anybody else.

1748. Are you prepared to swear any question was asked of him, excepting as to the production of the lease?—Not in his cross-examination.

1749. In his cross-examination nothing was asked excepting the production of the lease?—I do not know what questions were asked, because they are not in my note-book.

1750. In some of the persons who came forward, there were questions arising as to the producing of their lease; is not that so?—Yes, in some cases.

2751. In some of the cases, the only question raised was about the production of the lease?—I cannot bring to my recollection whether any of these cases was confined to that or not, until I look at the particular case in the note, and then I would know.

1752. What note?—This note.

1753. This note does not say any thing about it?—I know it does not in this particular case.

1754. I ask you whether there were not certain cases in which the voter is only asked as to the production of the lease?—I can only tell by looking over the notes.

1755. How can you tell now by looking over the notes?—Because it did not arise in this case, but in other cases it did.

1756. Do you mean to say there are some cases in this account, in which it will appear that the only question that arose was as to the production of the lease?—I do not say there are cases where the only question was about the production of the lease; but I say there are many cases where such a thing might have arisen, and wherever it did, I made a point of entering it in my note.

1757. Were there not some cases before the assistant barrister, in which the only question asked of the voter was touching the production of the lease, or the instrument under which he held?—I do not know till I look over my notes, and then I will know.

1758. You cannot swear, without looking at those notes, but that some persons might have been objected to on that ground only?—Certainly not.

1759. Have you any doubt whatever, without looking at your notes, that in many cases that was the only question asked of the freeholder?—I have no recollection on the subject, except what that notice affords me.

1760. You can give me no opinion either way on it?—I cannot without referring to the notes.

1761. Just answer this; supposing you find nothing about the sort of question that was asked of the freeholder in the note respecting him, will you be able to say whether he was objected to on the ground of value, or whether simply on the production of the lease?—I will.

1762. What will enable you to do that?—I made it a point, wherever there were any objections, except on the ground of value, to mark it particularly in my note.

1763. If

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1763. If there was any objection, excepting on the ground of value, it would be mentioned in this book?—It would, except I committed a mistake.

1764. Are you prepared to stand by your own note or not; can you swear to it from looking at your book?—To the best of my knowledge and belief, they are correct.

1765. According to the best of your judgment and belief, if there is not some note at the time about the production of the lease, that question was never asked at all?—I think so.

1766. If there is nothing except "admitted" against that, it means that the only objection was on the ground of value, that that was the objection?—If the body of the note does not contain it, then it was not made.

1767. What was not made?—An objection on any other ground except value.

1768. Look at this book, and show me any case where the non-production of the lease is mentioned, and show me one where the question of the non-production of the lease was gone into?—I do not know of any particular case on that; I can show you where there are other objections made besides as to value.

1769. What entry did you make in that book, where the only difficulty was the non-production of the lease?—I do not recollect any one case of that kind.

1770. Do you mean to say there was no such case?—I cannot say so until I look at my notes; it is only as these entries present themselves to my view I can see whether it was so or not; this is at the distance of four years, and I have never read over the notes since they were written; I see there is one case where there is another objection; "James Sloane claims as a 20 *l.* freeholder, claimed by his wife, 40 years in possession; lease in his brother-in-law's possession; lease was made to his father-in-law; never saw the lease; rejected for want of title."

1771. Have you any other entry, or is that the only one?—There are many others besides; there were objections taken besides those of value.

1772. Then, if I understand you, there are many cases where the non-production of the lease was the objection taken?—There are cases where the non-production of the lease was the ground of objection; I did not know that there was this, till I opened the book, and it presented itself.

1773. There were cases in which the non-production of the lease was the only objection taken?—There were such cases.

1774. *Committee.*] From looking at that book, and from your recollection, are you convinced that this party, whose vote is now under consideration, was objected to on account of the want of value?—I am.

1775. You are positive of that?—I am.

1776. He was not merely asked to produce his lease?—I am very much of opinion that he produced it, although it is not here, because, if any thing as to non-production had arisen, I should have noticed it.

1777. You are positive he was objected to on account of the insufficiency of value?—I am.

1778. Mr. *Robinson.*] You found your opinion exclusively on this entry?—I do; I found my opinion on the general rule which I adopted in making the entries.

1779. And you believe, unless in those cases where the words are written, the man was objected to on the ground of value?—Yes, except it be otherwise stated in the note.

[*The Witness was ordered to withdraw.*]

William Morrison, sworn.

Examined by Mr. *Whitesides.*

William Morrison.

1780. YOU were employed, you told us, to serve some notices; do you recollect being employed to serve a notice on one Matthew Donohoe, of the barony of Longford?—I do.

1781. You know the man?—I do.

1782. Did you serve the notice on him?—I served it on his wife, at the house.

1783. On what date?—On Friday, the 15th of February.

1784. What did you do, when you went to the house, on that occasion?—I went to the house and served her with a notice, and I told her that that was

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a notice for her husband to produce his lease in the House of Commons, to defend his vote on the 28th of February.

1785. Did you make an entry of the service of that notice?—I did, as soon as I left the house.

1786. That is the precise day you served it?—Yes.

1787. Was it a printed notice?—It was.

1788. The same as you served on all the other houses?—The same; I served it on the 27th of February.

1789. Have you a copy of that notice?—I have—[*it was handed to the Counsel.*]

1790. Were all the notices you served printed?—They were.

1791. What was the date on the notice; at what time was Donohoe called on to produce the lease?—The 28th of February.

1792. You swear that?—I do.

1793. Will you produce that notice?—I will.

1794. Did the notice you served in any respect differ from that?—[*handing a notice to the Witness.*]—It did.

1795. In what respect?—It was for the 28th of February, instead of the 11th April.

1796. Look at that notice, which has been printed; was that the kind of notice you served?—It was, except that the man's name was not on it.

Cross-examined by Mr. *Robinson.*

1797. You have been examined here before to-day, I believe?—I have.

1798. You told us, on that occasion you had served as many as 55 notices?—Not upon that occasion; I said I served 33 on that occasion.

1799. But how many did you serve altogether?—I consider I served 33 on one occasion, and 25 on the other.

1800. What occasion do you mean?—I mean the 28th February, about 33.

1801. And 25 on the other?—Something about that.

1802. When was it you went to Donohoe's house?—On the 17th of February.

1803. Whom did you see there?—His wife and family.

1804. Did you not see him?—No, I believe he was on the road before me.

1805. Had you met him that day?—I was told he passed before me on the road.

1806. You did not see him on that day?—I did not see him, but I was after him.

1807. How many of those pieces of paper had you altogether?—I suppose I had as many as I served, and a few over.

1808. By whom were they given to you?—I suppose between 50 and 60.

1809. By whom were they given to you?—Mr. Courtenay gave me some.

1810. Who gave you the others?—They were enclosed to me.

1811. How did you get them?—They were given into my hands.

1812. Who gave them into your hands?—Captain Walker gave me some, and Mr. Courtenay the rest.

1813. Which of the two was it you gave to Mrs. Donohoe?—It was the 28th.

1814. Was that given to you by Captain Walker?—It was given to me by Mr. Courtenay at the table in Longford.

1815. Did you examine them?—I did.

1816. Do you mean to swear you read them all?—I read part of them.

1817. You mean to say you read some of the notices?—I do; most of them all I read.

1818. What did you say when you gave it to this woman?—I gave the paper into her hand.

1819. What did you say to her?—I said, "Here is a notice for your husband to produce his lease in the House of Commons to defend his freehold."

1820. That you told her?—Yes.

1821. I do not understand you to say that you read that particular paper which you gave to that woman, but that you read some of them?—I said I did.

1822. I did not hear you say so?—Not when I gave it to her, but before it.

1823. You read the notice you gave to her?—I did.

1824. You say you read most of them; how do you recollect that you read this one?—Before I served it, to make myself sure, I read it over.

1825. What

1825. What makes you recollect you read this over more than the others?—Because what I served on that day I read over.

1826. What was that day?—The 17th February.

1827. The other days you did not read them over?—Some I did, and some I did not.

1828. Why did you read them over more on that particular day than the others?—Because I was in a hurry to serve some of them, and I was in no hurry there.

1829. Some were served in a hurry; them you did not read over?—Part of them I read, and part not.

1830. Did you, at the time you read them over, compare what you read with any other paper?—No, they were all one that I had.

1831. Did you keep one?—I did.

1832. Where did you get this from?—I got it here.

1833. When?—The first day I came here, I think.

1834. Do you mean to say you got it before this morning?—I had it before three mornings ago.

1835. Who gave it you?—Mr. Courtenay.

1836. You did not keep one at the time you served it?—I did, but I did not bring it with me.

1837. Where did you leave it?—I left it at home, behind me.

1838. It was something in this form, was it?—It was the same as this, only what I remarked to you, the 28th February.

1839. Had you at the same time another given to you?—I had one when I came to town, but I lost it.

1840. Do you mean to say that you brought one with you from home?—I had one.

1841. When did you come from home?—I left home on the 8th of April.

1842. And you lost it on the way?—Yes, I lost it as I came here.

1843. Where did you lose it?—I cannot say.

1844. Did you lose any thing else with it?—I did.

1845. What else?—Another piece of paper with it.

1846. What paper was it?—A paper I had from home.

1847. Was it any thing about the election?—No, nothing about the election.

1848. Do you mean to say you examined the notice you served with that notice you so unfortunately lost?—I examined them.

1849. You say you gave this piece of paper to Donohoe's wife?—I do.

1850. Which you read over at the time?—I did.

1851. At the time you read it over, did you compare it with any other paper?—It was all one and the same I read.

1852. I thought you said you brought it with you?—I did, but I lost it as I came here.

1853. Did you bring another paper besides this with you?—I did, but I lost it.

1854. Another notice?—Yes, but that I lost.

1855. Did you lose both the notices?—I lost a paper along with the notices.

1856. Did you bring one of the longer notices with you?—It was a short one I brought, the same as that.

1857. You only brought one from home?—No more than that.

1858. You merely told her, as I understand you, that it was a notice for her husband to produce his lease in the House of Commons to support his freehold?—Yes.

[*The Witness was ordered to withdraw.*]

The Committee intimated their opinion that the service of the notice was sufficiently proved.

[*The following Notice was then handed in:*]

HOUSE OF COMMONS.

IN the matter of the Petition of *Lovell Edgeworth* and others, Electors, complaining of an undue Election for the County of Longford; also, in the matter of the Petition of *Charles Fox,* complaining of the same Election and Return.

YOU are hereby required to produce, or cause to be produced, before the Select Committee of the House of Commons, to be appointed to try and determine the merits of the said petitions, at Westminster, on Tuesday the 11th day of April instant, the lease, deed or instrument by virtue of which you claimed a right to be registered, and were registered as a voter for said county of Longford, and in respect of which you voted at the said election petitioned against.

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And in case you refuse and decline or neglect to produce the same, you are hereby informed that secondary evidence will be offered to the said Committee in respect of same, in order to impeach and invalidate your vote given at said election.

Dated this 14th February 1837.

To Henry Galnagh, Wilsbrook.

Thos Courtenay, Esq.
Agent for Petition.

Mr. *Whitesides* then asked the other side whether they produced the lease.

Mr. *Robinson* said that they did not.

James Ganly, re-called.

Examined by Mr. *Whitesides*.

James Ganly.

1859. JUST be so good as to tell the Committee what rent and what number of acres Donohoe swore he claimed out of?—Twelve acres of land; the rent 8 *l.* 1 *s.* 8 *d.*

[*The Witness was ordered to withdraw.*]

Mr. *James Armstrong*, sworn.

Examined by Mr. *Whitesides*.

Mr. *J. Armstrong.*

1860. WHERE do you reside?—In the county of Cavan.

1861. Is that on the boundary of the county of Longford?—It is.

1862. Are you an extensive land-owner yourself?—Tolerably so.

1863. Are you well acquainted with the value of land?—I have been brought up to it from my infancy.

1864. What do you mean by saying you have been brought up to the valuation of land from your infancy?—I have been brought up to farming.

1865. Have you acted under the Tithe Composition Act as a valuer?—I did.

1866. You are a commissioner elected by the parish for that purpose?—Yes; by the parish in which I reside.

1867. Were you appointed at any time to value Lord Lorton's estate?—Yes.

1868. When was that?—This time three years.

1869. Did you visit the farm of one Matthew Donohoe, in Upper Droomard, in the barony of Longford?—Yes.

1870. Do you know that farm?—Yes, perfectly.

1871. Will you describe to the Committee the condition of that farm, and what you believe the value of that to be per acre, that a solvent and responsible tenant would pay for it?—It is a farm situated low; mountain farm; all that neighbourhood is mountain, at least formerly was; the principal of it even is now.

1872. What do you mean by mountain?—I mean the whole of that neighbourhood goes by the name of mountain.

1873. What do you mean by the word "low"?—It is rather lower, this farm, than other farms which are near to it.

1874. Will you tell the Committee, according to the best of your judgment, what the value of that farm is per acre; what a solvent tenant could afford to pay for it?—Connecting the mud-wall cabin that is on it with the small hovels of barn, &c. attached to it, I consider, at the very highest value, 1 *l.* 2 *s.* per acre; I look upon that as the very highest value.

1875. Could a solvent and responsible tenant, do you suppose, afford to pay any thing more for it than you have valued it at?—I feel perfectly satisfied, not.

1876. And you include the house?—Yes.

Cross-examined by Mr. *Robinson*.

1877. Did you value it alone, or did anybody go with you?—Mr. Stephenson went with me in conjunction.

1878. When was it you valued it?—In the month of February last.

1879. That is not a very favourable time, I believe, for judging of the value of the land; land in a low situation does not look particularly well in the month of February?—I believe the winter season to be the best season to know the quality of land.

1880. In the month of February low situations do not look in their best plight?—No, they do not.

1881. Had

Mr. *J. Armstrong.*
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1881. Had you been acquainted with Donohoe's farm before?—I have rode that neighbourhood from time to time for more than 20 years.

1882. Generally through that neighbourhood?—Particularly by that place, because it is adjacent to the road.

1883. Did Donohoe go over the land with you?—He was not there at that day, at least I did not see him; I met him in the morning going to market.

1884. Did he go over the land with you?—No.

1885. Did you make any inquiries at all as to the productiveness of the land, or what it produced?—I did not.

1886. How long were you doing it; how long were you there altogether?—I was on that farm not more than half an hour.

1887. You were asked of course to make this valuation by the other side?—Yes.

1888. And you knew the object for which you were wanted to value it?—Yes.

1889. I see you speak very contemptuously of this mud cabin; Donohoe lives in it with his family I believe?—I suppose so; I am led to understand so.

[*The Witness was ordered to withdraw.*]

Mr. *William Stephenson*, sworn.

Examined by Mr. *Whitesides.*

Mr. *W. Stephenson.*

1890. WHAT are you?—A farmer.

1891. Where?—At Colmadron.

1892. You are a farmer there?—Yes.

1893. Have you been accustomed to value land?—Yes, I have valued some land.

1894. You have valued land?—Yes; I have valued two or three estates.

1895. Did you happen to value the estate of Matthew Donohoe, of the barony of Droomard, of the county of Longford?—I did not value the estate; I valued his farm.

1896. Will you tell the Committee what kind of a farm it is, and what it is worth?—It is low mountainy moory land.

1897. According to the best of your judgment, what rent could a solvent and responsible tenant afford to pay for that farm?—I should think the outside value would be 1 *l.* 2 *s.*

1898. Was Mr. Armstrong with you at the time you valued that land?—He was.

1899. You valued it together?—Yes.

1900. Did you see the house that is on it?—I did.

1901. What kind of a house is it?—It is a very old mud-wall house.

1902. And that is the highest rent you think a solvent tenant could pay for it?—Yes, I think so.

1903. That is a mountain district?—It is all mountain in that part of the country.

Cross-examined by Mr. *Robinson.*

1904. Have you been much accustomed to value land?—Yes.

1905. On any other occasion excepting on election occasions?—I was called to value the estate belonging to a gentleman in England here of the name of Cruikshanks.

1906. I believe you have valued land before with reference to election disputes?—I valued land at the last petition.

1907. You gave evidence, I believe, then?—Yes, I did.

1908. My friend says "believed;" did you give evidence respecting the estate of a man of the name of Thomas and Peter Monahoon?—One of them, I cannot tell which.

1909. You gave evidence against the value of their farm?—Yes, I did.

1910. The Committee did not agree with you in your opinion?—I really cannot tell; it appears not.

1911. The votes were allowed?—I have heard since they were allowed.

1912. Did you go at all over the house of Matthew Donohoe?—Yes, I went by the house.

1913. But not in?—No, not in.

Mr. *W. Stephenson.*

21 April 1837.

Re-examined by Mr. *Whitesides.*

1914. I believe you were examined in a great number of cases in the Longford election?—I was examined in a good many.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides* stated this was his case.

Mr. *Thomas Nesbitt*, sworn.

Examined by Mr. *Robinson.*

Mr. *Thomas Nesbitt.*

1915. ARE you a land-owner in the county of Leitrim?—I am.

1916. Do you occupy much land?—About 60 acres.

1917. Are you well acquainted with the value of land?—Very well.

1918. Did you go over the farm of Matthew Donohoe at any time?—I did.

1919. When?—I think in February last.

1920. Did you go alone, or with anybody else?—Yes; there was a Mr. Gregory with me.

1921. Did you examine it?—I did.

1922. What, in your judgment, is the value of it per acre?—I think it is worth, as I saw it situated, I think it is worth 1*l.* 15*s.*

1923. Are you a judge of that sort of holding?—Yes, I am.

Cross-examined by Mr. *Whitesides.*

1924. Where do you live?—I live in the county of Leitrim.

1925. How far might that be, at a rough guess, from this farm; how many miles?—I think it is about eight or nine miles.

1926. I ask you in whose employment you are in the county of Leitrim?—I am in no man's employment; I give employment, I suppose, to the amount of 300*l.* a year to labourers.

1927. Extracting iron ore?—No; I do extract some iron ore.

1928. Is not that your principal business?—It is not; farming is my principal business, and what I have been reared to.

1929. Have you been in the employment of Mr. White's brother in Leitrim?—Never.

1930. For elections?—Yes.

1931. And you were brought, as I understand you, from Leitrim to this farm in the county of Longford, to value?—I was.

1932. When were you brought?—In February last.

1933. Who brought you?—Nobody.

1934. Who sent you?—I went myself, but Mr. Welsh sent me.

1935. Did Mr. Welsh go with you?—No.

1936. Who is Mr. Welsh?—A land-agent in the county of Leitrim.

1937. He is Mr. White's agent, is not he?—Just so.

1938. Had you ever been in that country, or on that farm before, in your life?—I never was there.

1939. Do you know any thing of the rate of letting lands in that district of country?—I believe the rate is pretty much the same as it is in my own country.

1940. Do you know any thing, of your own knowledge, of the rate at which farms are let in that district of the county of Longford?—I do; I know lands let higher in the county of Longford generally than they do in the county Leitrim.

1941. And you think, that as lands are let in the county of Longford, the 35*s.* an acre for this mountain farm is a fair rent?—I do consider it a fair rent.

1942. And a solvent tenant could afford to pay it?—I think so.

1943. Were you ever in the barony of Abbyshrule?—I was.

1944. Did you ever hear that a great district in that barony is let at 32*s.* an acre?—I never did.

1945. Would you be surprised to hear that circumstance, that land was let at 32*s.*?—There might be lands let at 32*s.*, and they might not be worth 32*s.*

1946. You have been at Abbyshrule for the purpose of valuing land?—I have been there.

1947. Is there not, according to your judgment, a great deal of very fine land in Abbyshrule?—There is, and a great deal of very bad land.

1948. Is

1948. Is not this farm you have been speaking about, what is called a mountain farm?—I have seen no signs of mountain about it; it is all well tilled land, reclaimed.

1949. It is reclaimed, you say?—It was.

1950. From what?—From what it originally was.

1951. What was it reclaimed from?—It bore the marks of being reclaimed, because it was well laid out, and some timber planted on it.

1952. What timber; what kind of timber?—Young trees.

1953. What sort of trees?—Alder.

1954. Reclaimed from what, I want to know?—Made better by improvement; it seemed to me to be improved and well managed.

1955. Reclaimed from what; why did you use the expression reclaimed?—I use it in this sense.

1956. It is not reclaimed from waste?—There is waste attached to it, which is now in a state of being reclaimed; something between four and five acres; which adds to the value of it.

1957. The waste does?—Yes.

1958. Is not that part of the farm itself?—It is not part of the land in the lease; it appeared to me to be waste; I should suppose so.

1959. I ask you how you know the waste land which is close beside it; is not part of the reclaimed land in the lease?—I was told so.

1960. Who told you that?—The persons on the land; and they showed me the lease, and I looked to see what the reserved rent was.

1961. And you saw what the amount of the rent was?—I did.

1962. And did you know it was necessary that the land should be worth 10*l.* a year more than that, in order to give the tenant a right to vote?—Since the 10*l.* franchise was established, I always knew that it was necessary.

1963. And what was the rent reserved per acre?—The entire rent was 8*l.* 1*s.* 8*d.*

1964. How much was that by the acre of the farm?—The reserved rent was 8*l.* 1*s.* 8*d.*

1965. How do you know the four or five acres of waste land were not part of the land demised by the lease?—I do not know it from any other than the two reasons I have just mentioned; in the first place, the people pointed it out to me as being waste attached to the land; and in the next place, in general it is waste of that description which is attached to land and never charged for.

1966. Do you mean to tell the Committee, in a farm of 12 acres, it is the custom in Ireland, or usual, to have four or five acres of waste land attached to it?—I have sometimes seen it, but not generally.

1967. Where did you ever see four or five acres of waste thrown in?—I have seen it, and more acres of waste even than that reserved.

1968. Where there were four or five acres demised in a lease of 12 acres?—Yes, there was.

1969. There were merely 12 acres?—Twelve acres and 10 perches.

1970. Nothing more?—There appeared to me to be nothing more.

1971. You say that the amount of land mentioned in the lease was 12 acres 10 perches?—Yes.

1972. Those five acres were thrown in?—They were pointed out to me as being thrown in.

1973. Who is the landlord?—Lord Southwell, and all his land appears to be let considerably under the value.

1974. Did you visit the other parts of his land?—I did.

1975. Can you tell me the date of the lease, if you looked at it?—I cannot tell the date.

1976. The tenant showed you the lease?—Every tenant on Lord Southwell's property, with the exception of two, showed me their leases.

1977. Do you know you put a value equal to double the rent on this?—I never calculated that; I think it is worth 35*s.* an acre as it is now situated; if there were no house or place on it, I think it would be worth 30*s.* an acre.

1978. Are you aware that you now treble the rent?—I do not think I do.

1979. Do you say it is worth 30*s.* an acre with no house?—I say the land is worth 30*s.* an acre if there was no house on it; and I say, with the house and the improvements on it, it is worth 35*s.*

1980. Five shillings an acre you put on the value of the house?—Yes.

Mr. *Thomas Nesbitt.*

21 April 1837.

Re-examined by Mr. *Robinson.*

1981. Taking the house and the land together, what is your deliberate opinion as to its value per acre?—I think it is worth 35*s.* per acre.

1982. You believe that?—I do, and will swear it.

1983. As to this waste land you speak of, did it appear to you there were eight or 12 acres without the waste land?—It appeared to me there were 12 acres, without taking the waste lands.

1984. The *Committee.*] Does this waste land belong to him alone, or does he share it in common with all the neighbours?—I believe, to him alone; it seems to me to be meered in with his land.

1985. How much do you in general add for the house; is not 5*s.* a high acreage to add for the house?—Where the farms are small, the houses are of more value; the larger the farm, the more it takes from the value of the house.

1986. Have you been much employed in what you term setting farms and letting farms?—I valued entire estates for gentlemen.

1987. Have persons taken farms on your valuation?—Yes, frequently, and have asked me to value their farms. I must say I am not a high valuer of land at all.

1988. Do you feel confident, on your valuation of 35*s.* an acre, you could put in a solvent tenant?—I think I could.

1989. Has anybody taken land upon your setting?—Yes.

1990. Were those five acres of waste enclosed by a wall?—By a ditch.

1991. Do you mean to say those five acres were in addition to the 12 acres the man's holding was?—It appeared so to me.

1992. Did he tell you so?—He did.

1993. And they were not specified in his lease?—They were not specified in the lease.

[*The Witness was ordered to withdraw.*]

Thomas Gregory, sworn.

Examined by Mr. *Robinson.*

Thomas Gregory.

1994. ARE you a land-owner in Ireland?—I am.

1995. Where do you hold land?—In the county of Leitrim.

1996. Are you acquainted with the value of land?—I am.

1997. Do you know a farm occupied by Matthew Donohoe?—I do.

1998. Did you go over it at any time to value it?—Yes.

1999. You went with Mr. Nesbitt?—Yes.

2000. What did it appear to you to be worth per acre?—It appeared to me to be worth from 35*s.* to 37*s.* an acre; at least that.

2001. Did there appear to you to be waste land attached to it?—There was.

2002. Is it at all unusual for land-owners in Ireland to throw in pieces of waste to their tenants?—It is usual for landlords, when there is waste, to give it to them to improve upon, if it is in the townland where their farms are.

2003. *Committee.*] Was there any waste attached to the farm?—There was waste pointed out to me as attached to it.

2004. Mr. *Robinson.*] You say that is not unusual?—Not unusual at all, particularly with the owner of that property, Lord Southwell.

Cross-examined by Mr. *Wrangham.*

2005. Did you go with the last witness, Nesbitt?—Yes.

2006. You went together?—We travelled on it one day.

2007. You were on at the same time?—We went on it one day.

2008. Did you go at the same time?—We were never there but once to view it.

2009. How long were you there?—We took the whole day to go over it.

2010. Over the one farm, do you mean?—No.

2011. How long were you on this farm?—I cannot say; we might be an hour or two, or more; we did it in one day, this and some other farms.

2012. I want to know how long you were on this land?—I think we could not be less than a couple of hours, but I am not positive, because 12 acres of land we should not be long walking over.

2013. How many farms did you go over the same day?—I think at least about half a dozen.

2014. I suppose

2014. I suppose you know how many, whether it was half a dozen or five?—They are small farms, between 12 and 14 acres.

2015. Can you tell me whether there were five or half a dozen you valued?—We valued at least half a dozen.

2016. Did you not go over more than half a dozen?—I think we did.

2017. Can you state positively you did not value a dozen on that day?—There were not a dozen.

2018. How far short?—There might be six or eight.

2019. I want to know how many farms you valued?—It might be as many as Lord Southwell had in that division; that is the very first farm we met with.

2020. You will not say there were not eight that you valued?—There might be eight, but I cannot be positive; I can tell if I look at my notes.

2021. Where are your notes?—I have them in town.

2022. Where are they, outside?—No.

2023. Are they inside here?—No, at my lodgings.

2024. Why did you not bring them with you?—Because I had them perfectly well in my mind.

2025. When did you look at them last?—This morning.

2026. How long were you employed this day in valuing the farms?—The entire day.

2027. This is in February you are speaking of?—Yes.

2028. What time in the morning did you begin?—Tolerably early.

2029. About what time was it?—Eight or nine o'clock.

2030. And what time did you give over?—At nightfall.

2031. What time did you give over, tell me that?—It might be five or six o'clock; we were the whole day about it, and that was the first division we got into.

2032. You did not value in the dark?—No.

2033. What part of February was it; was it early in the month or late that you valued?—It may be tolerably early, about the middle of February or thereabouts; it was early.

2034. Was it very early?—Yes, it was, because we wished to have the valuation over before the 28th.

2035. Was it early or in the middle of February that you valued these lands; was it in the middle?—Not so late as the middle, it was early in February.

2036. You told me first that it was about the middle; then that it was rather early; then that it was very early; which do you mean?—It would be earlier than the middle, as far as I can recollect.

2037. Do you mean to say, that earlier than the middle of February you remained on the land valuing it till six o'clock?—I do not say so; we valued as long as it was light.

2038. Were you not the same time in valuing each of these farms?—We went through every farm, and this was the first we commenced with; we went from one to the other.

2039. Did you expend the same time, whatever it was on one as the other?—Much the same.

2040. And you say you were two hours on this farm?—It might be an hour or two; we kept no regular account of it.

2041. Where do you live?—In Leitrim.

2042. How far from this place you are speaking of?—I live at least eight or nine miles from it.

2043. Irish miles?—Yes, of course.

2044. Were you ever on this farm before?—I was frequently on the townlands before.

2045. Had you ever been on this farm before?—I had.

2046. Do you know any land of the same quality as this in that immediate neighbourhood let at any thing like the price you have put on this, 1*l.* 17*s.* an acre?—I believe I do.

2047. Are you sure of it?—I have been told so.

2048. You tell us you are a person conversant with these matters; do you know any land of the same quality as this in the same neighbourhood which has been let at the same price as you put on this, or any thing like it?—I was speaking to a man of the name of Donohoe, who has some of this land.

2049. Do you know any instance within your own knowledge of a farm of the

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the same quality in this neighbourhood let at any thing like the same rent you are putting on it?—This I can tell you, that from what I have seen of that neighbourhood, there is some of the best quality of land in that neighbourhood.

2050. What sort of land is it generally in that neighbourhood?—It is dry ground, and horses could work in it.

2051. Is that what you mean by dry ground that horses could work in it?—Yes.

2052. Do any trees grow on it?—Yes.

2053. What kind?—Deal.

2054. Any thing else?—I have seen a lot of deal trees planted on it.

2055. You say this is dry land?—Yes.

2056. Are there any alders growing on it?—Yes, I have seen alders in the garden; I think I saw a few alders growing in it; I know I saw a great many larch trees.

2057. Was it on the dry land you spoke of that the alders were planted?—They were sprinkled about the house and garden.

2058. Was it on the dry land you saw these alders planted?—It is tolerably dry land, because it was about the garden and the haggitt.

2059. Is your definition of dry land, land on which horses can work?—Yes.

2060. That it was not so wet but that horses could work it?—Yes.

2061. That is what you understand by dry land?—Yes, certainly.

2062. These acres of waste you speak of, were they on the side of the cultivated land?—Down at the bottom, near the lake.

2063. Did they join on the other land which is cultivated?—No, I believe not; the division of waste ground Lord Southwell gives the tenants for the purpose of improving.

2064. Do you know whether there is other land intervening between the cultivated land and the waste land you speak of or not?—I believe not.

2065. First of all you say it does not join, and then you say there is nothing between them; explain what you mean?—The land is adjoining the lake.

2066. Was it adjoining the cultivated land, I ask you?—No, it is pasture.

2067. Was it joining on the cultivated land; did it join it?—I believe it did, as well as I can recollect.

2068. Have you any doubt whether or not there was land of other persons between that waste and this cultivated farm or not?—It was not pointed out to me that there was.

2069. Was the waste land pointed out to you?—It was.

2070. This portion of waste land which the tenant said belonged to him?—Yes.

2071. I ask you whether, between the portion so pointed out, there was any land intervening between the waste so pointed out and the cultivated farm we are speaking of?—There was land belonging to one Sheridan that came very close to this piece of land; some land of one of the tenants of Lord Southwell came very near to this piece of land.

2072. Is this land, waste and cultivated, all one piece, or is it in two portions?—The piece of waste land comes close to the bottom, at the north-west of this farm.

2073. Is it part of the same plot of ground, or are there other lands brought in between the two?—I do not think there is; he has a pass from his land to the waste, from this land of his own leading to the waste.

2074. Is there a road going out of the cultivated land, and crossing to the waste land?—To cross to the waste land.

2075. Is the waste land one piece with the cultivated land?—I think it is one piece.

2076. Is that included in the lease?—I believe not.

2077. How do you know that?—I have seen the lease.

2078. When did you see it?—On the same day.

2079. Then it is not in the lease?—I believe not.

2080. Do you know for what term he holds it?—Three lives.

2081. I am speaking of the waste; do you know for how long a term he holds the waste?—I do not.

2082. You say this is so dry as that horses can work in it?—I think it is tillage land.

2083. How much of the tillage land is there?—He might have from three to four acres, as well as I can recollect.

2084. You say three or four acres of this is tillage land?—There might be.

2085. Is

2085. Is that of a better quality than the rest of the land?—It is of a drier quality than some of the rest. *Thomas Gregory.* 21 April 1837.

2086. Then some of the rest is less dry?—There generally is a tail to each farm, more or less, and that is generally made use of as pasture for cows.

2087. Do I understand you, except those three or four acres of tillage, the rest is of a wetter kind?—Yes.

2088. Is it wetter or drier than the land which is in tillage?—It is something wetter.

2089. Is there not a lake or piece of water that overflows part of it occasionally?—That lake is situate at the bottom of the townland, and it is adjoining that lake that this waste is.

2090. Is this waste a bog?—Some of the waste is cut out of a bog.

2091. Do you mean where the peat is cut off?—Bog, with the turf cut away.

2092. What is the value of turf land when the turf is cut away?—When the turf is cut, they generally reclaim it, and make meadow land of it.

2093. Is the land of which this consists, land of that kind, reclaimed?—Generally.

2094. What this farm consists of, is bog land of that kind reclaimed?—The waste.

2095. Is this land, the tillage land and all, land reclaimed from the waste?—No, it never was waste; the tillage was never waste.

2096. What is the manure that is used for land of this description?—It is lime.

2097. Is lime the proper manure for it?—It is.

2098. How many miles is lime to be found from this; is it not 12 miles?—No.

2099. How many miles is it?—It might be four or five, but I am not positive; I do not know the distance they bring lime to it; I saw marks of lime on the ground.

2100. Could he get a crop of oats from this land without using lime as manure?—He could.

2101. You let land yourself?—I do.

2102. Where is it?—Very near Longford.

2103. Have you not some land at Arvagh?—No.

2104. Have you land at Drumlish?—I have land at Drumlish.

2105. What sort of land is that with reference to this land, better or worse?—It is worse.

2106. That Sheridan you spoke of, he lives close by?—He has a farm close by.

2107. Is his land of the same quality as the land you spoke of?—It is on or about the same quality.

2108. Do you happen to know whether or not he is not the same man whose vote was struck off by this Committee?—

Mr. *Thesiger* objected to the question.

[*The Witness was ordered to withdraw.*]

Sabbati, 22° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Thomas Gregory, sworn.

Further Cross-examined by Mr. *Wrangham.*

2109. YOU told us last night you put for the house a value of 5*s.* an acre on this holding?—May I understand you? *Thomas Gregory.* 22 April 1837.

2110. What value did you put on the house?—I valued the house and land at what I mentioned to you; with the accommodation of the house and offices, I consider the land would be worth per acre what I stated to the Committee.

2111. *Committee.*] What was the rent you stated?—I said, from 1*l.* 5*s.* to 1*l.* 7*s.* 6*d.*, including house, offices and land; those are the words I expressed, including house, offices and land.

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2112. Mr. *Wrangham.*] Now, then, as you have not told us what value you set on the house, let me ask you now what value it was you set on the house and offices?—I consider a house and offices of that description could not be fitted up for—the most trifling farm-house could not be fitted up for less than 30*l.* at least; it could not be done, in my opinion, for 30*l.*; it could not be fitted up for less, if not over.

2113. What would be the annual additional value which you would give to the farm in respect of the house and offices; how much per acre would you add for the house and offices?—It could not be estimated at less than beyond 5*s.* an acre; it might be more than 5*s.* an acre, but not less; I only made an estimate, including the house and offices and land; I valued the house and offices and land; what I mean to say is, it was a comfortable farm for this class of people, and that it was worth the rent I stated.

2114. Now, what is that house built of?—There is some of it built with stone and lime, and there might be a course or two of mud, and a rough-cast of lime and sand; there are three apartments in it.

2115. You have carefully examined the house?—I did see the house, and I went into it.

2116. Did you carefully examine it?—I went into it.

2117. Will you take on yourself to swear that all but a very small portion is built of mud, and mud only?—I see the wall is rough-casted, as it is called in the country, with lime and sand.

2118. Will you take on yourself to swear there is any part of it built of stone and mortar?—The lower part of it is built with some stone, as well as I can recollect; but it appears to me to be a comfortable house for the description of persons holding such a farm; there were two or three apartments in it very thoroughly glazed.

2119. You say in the lower part of it there was some stone?—There is, as well as I can recollect.

2120. Will you take on yourself to say the stone rises from the ground?—There might be a few courses of work.

2121. Do you mean there might be two or three rows of stone at the bottom?—There might be, but I am not quite positive.

2122. You will not take on yourself to swear they are there?—I have seen the house; it is comfortable for a man of that kind to live in, with a barn, cow-house and stable attached to it.

2123. Will you now, after consideration, take on yourself to swear there is a single row of stone in the building of that house?—There must be a row of stone.

2124. Will you take on yourself to swear there is?—I believe there is.

2125. Will you swear it?—I form a strong belief.

2126. Will you say positively, on your oath, there is a single row of stone in the building of that house?—I will.

2127. How many?—There is one at all events, and probably more; I am certain there is one.

2128. You will undertake to swear there is one row of stone, and probably two?—There might be.

2129. Is that your notion of a house built with stone and mortar, with a few courses of mud, as you said before?—I never said any thing about the house at all until to-day; I have seen it, and it was all rough-casted with lime and sand.

2130. When I first asked you the question this morning what the house was built of, you told me it was built of stone and mortar, and there might be a few courses of mud?—There might.

2131. And now you say there is one row of stone?—I could not be positive of the height the wall was built of stone; I cannot be positive of it, because I saw it rough-casted; it was a very comfortable house for people in that class, and well stocked; I saw a good many packs of grain piled up, to show the man was comfortable, and he appeared to me to be independent.

3132. Can you say whether it is built of mud, or whether it is what is understood as a mud-house, or not?—There might be some mud in it.

2133. Can you say it is not what is commonly understood by the term of mud-house, built of mud?—When there are mud-houses built, there must be a course or two of stone at the bottom.

2134. Then is that the description of house this is, a house with a course or

two

two of stone at the bottom, and the rest mud?—There might be more; I have seen it rough-casted.

2135. You have looked at it for the purpose of giving a value, and do you mean to tell the Committee you do not know whether there is one, two or three courses of stone in it?—When I see a house sufficient to make a family comfortable, and well thatched, I never mind it much more; when I saw three apartments in it, and saw two packs of meal piled up in the room, I thought them comfortable; and I saw three or four cows at the door, and a horse next.

2136. You say in this house there is one row of stone, or there may be two or more; then I ask you, is not that the description of house which all those which are called mud-built are; one or two courses of stone at the bottom, and the rest mud?—All mud-houses are generally of that description.

2137. I think you said you looked at the lease?—I did.

2138. Why did you look at the lease?—I called for it in order to satisfy myself of the number of acres and the rent.

2139. Now, why was it necessary for you to know the rent to satisfy your mind?—In order to see what they paid, and to set my own value on it.

2140. Did the knowledge of what they paid in rent assist you in putting a value on it, which is nearly three times as much as the rent?—Not the slightest.

2141. You say you looked at the lease in order to ascertain the amount of the rent, to guide you in putting a value on the property?—Not in the value of the property.

2142. Then why did you want to know the rent?—I thought it was necessary.

2143. Why was it necessary to know the rent?—It was just to satisfy my mind what it was, what they paid for the land.

2144. But you did not think it at all necessary to assist you in forming a value?—I should be a bad judge of land, at my time of life, if I was not able to value the land without seeing the lease.

2145. Then I am to understand that you looked into the lease merely for curiosity sake?—It was a satisfaction for me to see the lease; they got the lease from Lord Southwell.

2146. I suppose it was a satisfaction also to see by that lease they only paid 13*s.* 6*d.* an acre for their land?—I should have known it from the registry.

2147. Was it a satisfaction or not to know they paid so little for the land?—It was a satisfaction to my mind to look into the lease.

2148. Was it a satisfaction to your mind to see what amount of rent they paid?—It might be a satisfaction.

2149. Then it was?—Very likely it was.

2150. You looked into the lease also to ascertain what was the holding?—To see what number of acres.

2151. Will you take on yourself to swear here before the Committee, that these four or five acres of waste, which you spoke of yesterday, are not part of the 12 which are contained within that lease?—They are not.

2152. Will you take on yourself to say that positively?—I will.

2153. I believe you take a good deal of interest in elections?—I voted for the Member I liked.

2154. Were you or were you not at the last election a very warm partisan of one party?—I certainly assisted Mr. White as a freeholder ought to assist the man he would vote for.

Re-examined by Mr. *Robinson.*

2155. First as to the production of the lease, is it not usual in letting land to see the lease?—I thought so.

2156. As to this house, whether it was of marble or of stone, or of brick or of mud, was it sufficient for the occupier of that land to live on?—Very sufficient.

2157. Whether alders grow on this land, or whether larches grow on the land, you have told us in your opinion it would be worth from 1*l.* 15*s.* to 1*l.* 17*s.* per acre?—I say so still.

2158. At all events, have you the least doubt it was worth 1*l.* 11*s.* per acre?—I would give 1*l.* 13*s.* for it myself if I had it adjoining my ground, and more; I would not want so small a farm in that country, so far from my place.

2159. Did Mr. Nesbitt agree with you in opinion it was worth more than 1*l.* 11*s.*?—I believe he did.

Thomas Gregory.

22 April 1837.

Examined by the *Committee*.

2160. You do not state what value you put on the house by itself?—I was asked to give an account of what I thought it would cost, and I considered it could not be built under 30*l.*, and it might be over that; you could not fit up the house and offices suitable for a family for less than that sum.

2161. We heard the day before yesterday that a house could be built in Ireland for 10*l.*?—A bad one indeed.

2162. As to the lime, which is the proper manure for this farm, how near is that to be had?—It might be four or five miles; I am not positive.

2163. What is the name of the place where the lime is to be got?—There are some lime-quarries in a part of the county of Leitrim.

2164. Can you not say the distance from this place to the quarry?—I do not know.

2165. You do not know it can be had within four or five miles?—Not less, I should think.

2166. You cannot speak that of your own knowledge?—Indeed I would not be positive.

2167. Do you call this reclaimed land or not?—I do.

2168. Do you call it reclaimed?—Yes, because it would produce very fine crops by giving it lime.

2169. You know what the tenant pays for this holding?—Yes.

2170. You know what he pays?—I do.

2171. Would you give 10*l.* annually more than he pays?—I would; I say that positively.

2172. Is it customary in Ireland that where a person pays 8*l.*, what he is holding at 8*l.* should be worth 22*l.*; is that the usual way?—That is according to the bargain at which he holds the land.

2173. Is it usual?—Very usual, if he has a landlord that gives him land under value when he reclaims that land.

2174. When I asked you the question, I did not allude to the waste land; it has nothing to do with the waste land?—Nothing to do with it.

2175. I am not talking of the additional waste land, which has nothing to do with his lease; would you give 10*l.* more than he pays, independently of that waste land?—I would, and I would be at no loss.

2176. Do you hold any land under Lord Southwell?—I do.

2177. How is your rent, may I ask?—I held it a long time at the war prices, and I lost by it, and he gave me an abatement down from two guineas an acre to one guinea; and that land he gave me the liberty of disposing of, by which I got 32*l.* profit rent, and some few shillings.

2178. Is that land in the same neighbourhood as Donohoe's?—It is not in the same barony.

2179. Is it near it; how far from it?—It might be seven or eight miles and more; the land I walked upon would produce as good a crop as the one I hold of Lord Southwell.

2180. Do you mean to say this land of Donohoe's would produce as good a crop, if properly tilled, as the land you hold of Lord Southwell at two guineas an acre?—I think it would.

2181. Are you acquainted with any other farms belonging to the same landlord?—Yes, I am.

2182. If you are acquainted with them, do you think, in each of those other farms you are also acquainted with, that the tenants have got a beneficial interest to the amount of 10*l.* above what they pay?—I am certain they have.

2183. That is to say, lands let by this landlord are generally let so favourably to the tenant, as that he can make 10*l.* over and above his rent?—No doubt.

2184. However small that may be, there may be a 10*l.* interest?—From the number of acres, I understand, the tenants have of Lord Southwell, they have beneficial interests of 10*l.* a year.

[*The Witness was ordered to withdraw.*]

Mr. *Harrison* then proposed to call Mr. Walker, the tithe-valuer, to speak as to the waste.

Mr. *Austin* objected to their calling any further evidence, as they had closed their case, and he had called his witnesses.

Mr.

22 April 1837.

Mr. *Harrison* was heard in answer to the objection.

Mr. *Austin* replied.

The Committee allowed the objection.

The Committee-room was then cleared, for the purpose of considering the vote of Matthew Donohoe.

On Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That the vote of Matthew Donohoe remain on the poll."

Mr. *Wrangham.*] The next vote is Thomas Magee ; 94 on the list, and 269 on the poll, of the barony of Longford.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

2185. DO you produce the affidavit of registry of Thomas Magee?—I do.

[*The following Document was then put in* :]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds.

AT a Civil Bill Court, held at a general session of the peace holden at Longford, in and for the county of Longford, on the 6th day of April in the year of our Lord 1832, I, Thomas Magee, Clonteen, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from a house and land, of the clear yearly value of 10*l.* above all charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Clonteen, in the barony of Longford ; and that a solvent and responsible tenant could, as I verily believe, afford to pay for the same, as an additional rent, fairly and without collusion, the annual sum of 10*l.* over and above all rent to which I am liable in respect thereof ; and that the said freehold does not arise from a rent-charge ; and that the same arises by virtue of the deed, lease and instrument which I now produce, bearing date the 10th day of November 1806 ; and that I am in the actual occupation thereof by residing, tilling and grazing ; and that the said freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them ; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them ; and that I have not agreed to let it for the term for which I hold it ; and that I have not procured or accepted the said freehold fraudulently nor in exchange for a freehold in any other county ; and that I do not hold my said freehold by virtue of any lease, deed or other instrument executed or made after the 1st day of July 1823, to any person or persons, jointly, in common, or in partnership. So help me GOD.

his
Thomas ⋈ *Magee.*
mark.

Truly read by me,
Pat. Swiney.

Sworn and subscribed before me, in open Court,
this 6th day of April 1831.
Geo. French,
Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Magee, of Clonteen, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Clonteen, and barony of Longford.

Dated this 22d day of October 1832, at Longford. *J. F. Fosbery,*
Deputy Assistant Barrister.

John V. Crawford,
Clerk of the Peace.

Thomas Morrison.

22 April 1837.

Thomas Morrison, sworn.

Examined by Mr. *Wrangham.*

2186. WAS you present at the registration in April 1832?—I believe I was.

2187. Was it in April or October?—October.

2188. Do you know whether the vote of Thomas Magee was opposed at that time?—I believe he was.

2189. The *Committee.*] Do you know he was?—He was.

2190. Mr. *Wrangham.*] Who objected to him, do you remember?—Mr. Courtenay.

2191. Mr. Courtenay, the agent?—Yes.

2192. Was that on the ground that he had not sufficient value?—It was.

2193. Mr. *Austin.*] You mean to swear that was at the registry in 1832?—It was before Mr. Fosbery, in October.

2194. That was the time, was it?—It was at the time I saw Mr. Courtenay taking the objection.

2195. Do you recollect that?—Yes.

2196. Have you any thing to aid your memory?—I was at the court.

2197. Do you recollect any persons who were registered at that registration on producing their old certificates; do you recollect that?—What is it?

2198. Do you remember any persons who were registered at the October sessions, in 1832, upon the production of their old certificates?—A good many; I had one myself.

2199. You mean you was registered yourself on one?—I was.

2200. Were they opposed?—I do not consider they were.

2201. You was not opposed yourself, I suppose?—No.

2202. Mr. *Wrangham.*] Your holding was so good that you was not opposed?—No.

2203. Do you remember whether this man came upon his old certificate to be registered?—I believe he did.

2204. And upon his so coming up you say Mr. Courtenay objected to him, and opposed him on the ground of value?—He did.

2205. Did you ever serve a notice on him to produce his lease?—I served it in his house; on his daughter in the house.

2206. You say he appeared at this time, in October, on his old certificate?—Yes.

2207. Had you been present when he had been previously registered?—Before that he was objected to, before Barrister French; I was not by when he was registered after he was rejected by Barrister French.

Cross-examined by Mr. *Austin.*

2208. When was that?—I think a year before Mr. Fosbery came.

2209. Was you present there?—I was present when he was rejected.

2210. Do you mean to say he was rejected by Barrister French?—He was at one time.

2211. In what year?—I do not know how long it might be; it was some time before that.

2212. Was you present in April 1831?—I was present nearly at every sessions.

2213. Was you present in April 1831?—I do not know but that I might.

2214. How do you recollect your being present more in 1832 than in April 1831, at the sessions?—I was generally there during the whole time Mr. Fosbery was in office.

2215. Did Mr. Fosbery preside in 1831?—In October.

2216. That is 1832; did he in 1831?—At the time Mr. Fosbery was there, I was there the whole time but a few days.

2217. Did Mr. Fosbery attend in 1831?—No, I do not think he did.

2218. Were you present in April 1831?—I was at every sessions; there might be some sessions I might make remarks on more than others.

2219. Was you present when he registered in April 1831?—I do not recollect; I was present when he was rejected.

2220. Was that in 1830, 1831, or 1832?—It was before Mr. Fosbery came down, some time; I do not remember how long before it was.

2221. Will

2221. Will you undertake to swear at what sessions it was he was objected to?—No; I did not think I should be asked it.

2222. Understand that question of mine; will you undertake to swear, having had your recollection refreshed as to this, will you undertake to swear at what sessions this man was objected to?—It was some time before Mr. Fosbery came down; I do not know at what time it might be.

2223. Do you mean to swear he was objected to in 1832; do not talk to me of Mr. Fosbery?—There was an objection made by Mr. Courtenay to him.

2224. In 1832?—Yes, before Mr. Fosbery.

2225. Do you mean to undertake to swear he was objected to in the sessions of 1832?—I mean to swear he was objected to before Mr. Fosbery at the time he was in Longford, registering the freeholders in that county.

2226. Give me an answer to my question?—I cannot do any more.

2227. Do you recollect the sessions of 1832?—I do, before Mr. Fosbery.

2228. Do you recollect the sessions of 1832?—I did not mark what sessions it was.

2229. The *Committee.*] Do you recollect the sessions of 1832?—If it is October, before Mr. Fosbery, I do.

2230. Mr. *Austin.*] In what year?—1832.

2231. Do you recollect any other sessions held by Mr. Fosbery?—From the time he came down first, I never saw him in that county before or after, to my knowledge.

2232. Were any witnesses produced?—Not in Magee's case.

2233. You say no witnesses were produced in Magee's case?—Not before Mr. Fosbery, there were not.

2234. That you are distinct upon?—Yes.

2235. And the objection was on the ground of value?—It was.

2236. Was he at that time registered on an old certificate, or without a certificate?—They were arguing upon the old certificate.

2237. Was that the thing that they discussed before the barrister, the old certificate?—I believe it was.

2238. Have you any doubt that it was?—I have no doubt but that it was.

2239. Now, sir, was not the objection an objection that he could not be registered on the old certificate?—It was value first, and then they contended on the old certificate.

2240. No witnesses were called about this matter of value?—No; the man was at the further table, the same as I am here.

2241. They got rid of that, and then contended about the certificate?—They contended on the certificate.

2242. They took some objection to the certificate?—There was, by Mr. Courtenay.

2243. And the barrister gave him the certificate?—I believe he did.

2244. You know he did?—I did not see him give it to him.

2245. Did you see anybody take a note of the heads of objection at that time, or anybody write on a paper when the votes came up?—I saw the barrister write down.

2246. Did you see Mr. Courtenay, or anybody connected with him?—There was a clerk writing.

2247. One of the myrmidons?—Yes.

2248. You saw him taking down notes?—Yes.

2249. At the time the objections were going on?—Yes.

2250. What are the names of the gentlemen who were taking down the notes?—Mr. Ganly and Mr. Gardiner.

2251. Are Mr. Ganly and Mr. Gardiner clerks of Mr. Courtenay?—They were clerks, but I do not know who employed them.

2252. On Mr. Courtenay's side?—Yes.

2253. Have you seen Mr. Ganly in London?—I have.

2254. He is here now?—Yes, he is.

2255. He was examined yesterday?—I believe he was.

Re-examined by Mr. *Wrangham.*

2256. Can you take on yourself to say that either of those gentlemen took a note of the objection in this case of Magee?—I do not know whether they did or not.

Thomas Morrison.

22 April 1836.

2257. You have been asked about two distinct registrations?—I was.

2258. First of all, you say you was present before Mr. Fosbery came down some time, the year or so before, you were present at a registration when this man was objected to before Barrister French?—I was.

2259. He was the assistant barrister of the county?—He was.

2260. Was Mr. Fosbery a gentleman who came down for the Reform sessions, as they were called, the sessions after the Reform Bill passed in October 1832, and for those sessions only?—He was.

2261. He came down then for the first time, and never reappeared there?—He did.

2262. Now, coming to the time when he was registered by Barrister Fosbery, in October 1832, do I understand you to say he was then again objected to by Mr. Courtenay?—He was.

2263. First you say on the ground of value?—Yes.

2264. And then on some objection arising from his old certificate?—Mr. Courtenay, after he opposed him on value, said he should produce his lease.

2265. After the question of value was disposed of?—Yes.

2266. Is that what you meant when you said he opposed him, or contended on the certificate?—That is what I mean, that was the intention.

2267. You spoke, I think, as to the time when he was objected to before Barrister French?—I was by.

2268. Do you mean at the time Barrister French rejected him?—He did reject him.

2269. I think you stated also you do not know how he afterwards came to be registered?—I do not know; I do not think I was by.

2270. When he was rejected by Barrister French?—Yes.

2271. But this you knew, when he came before Barrister Fosbery to be registered, he produced a certificate of previous registry?—Yes; I do not think it was he himself produced it.

2272. It was produced?—It was.

[*The Witness was ordered to withdraw.*]

Mr. *Austin* objected to the validity of this vote being further inquired into, on the ground that it had not been proved that any objection was made to the vote at the registration of 1831, and that therefore the proper affidavit being produced was quite sufficient.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Austin* replied.

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That Counsel do proceed with the vote of Thomas Magee."

Thomas Morrison, re-called.

Examined by Mr. *Wrangham.*

2273. I was about asking you whether you ever served a notice at Clonteen for this Thomas Magee to produce his lease?—I served it on his daughter, in the house.

2274. When was that?—On the 15th.

2275. Fifteenth of what?—Fifteenth of February, for the 28th.

2276. It was a notice for the 28th?—It was.

2277. You say you served it on his daughter?—Yes.

2278. What age was she about?—She was a maid girl.

2279. What do you mean by a maid girl?—A full-grown girl.

2280. A young woman, was she not?—Yes, she was a young woman of three or four and twenty.

2281. At the time you served her, did you say any thing to her?—I did.

2282. Did she say any thing to you about her father?—She did.

2283. What did she say?—I asked where he was, and she told me he had gone to the priest.

2284. Now is that what passed between you and her?—Yes.

2285. Did

2285. Did you give her the notice?—Yes, I did. *Thomas Morrison.*

2286. Mr. *Robinson.*] What was the day you served it on the daughter?—The 15th of February. 22 April 1837.

[*The Witness was ordered to withdraw.*]

Mr. *Austin* objected that this service of the notice was not sufficient.

Mr. *Whitesides* was heard in answer to the objection.

Mr. *Austin* replied.

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That, in the case of Thomas Magee, notice has been sufficiently proved."

Mr. *Whitesides.*] Do you produce the lease?—

Mr. *Austin.*] No.

Mr. *Lambert Disney*, sworn.

2287. Mr. *Wrangham.*] I BELIEVE you are the agent of Lord Darnley?— *Mr. L. Disney.*

2288. Mr. *Thesiger.*] Have you not been in the room during the examination of the witnesses in this case?—I was in the room yesterday.

2289. How long were you in the room altogether yesterday?—I do not think I was an hour.

2290. *Committee.*] What part of yesterday was you in the room?—The afternoon.

2291. What was going on?—I think the vote of a man of the name of Donohoe was on.

2292. Mr. *Wrangham.*] Did you, at the time you was in the room yesterday, have any knowledge you were to be examined here as a witness to-day, or at any time?—I was not sure whether I was to be examined or not.

Mr. *Thesiger* contended, according to the rule which the Committee had laid down, the evidence of this witness could not be received.

The Committee were of opinion, under the circumstances, the witness could not be examined.

Lunæ, 24° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present. 24 April 1837.

Mr. *William Walker*, sworn.

Examined by Mr. *Whitesides.*

2293. I UNDERSTAND you are a land-agent to property in Longford and other places?—Yes, to a property in the county of Longford, and another in the county of Leitrim. *Mr. W. Walker.*

2294. Were you the tithe valuator for the parishes in Longford and Leitrim?—Yes.

2295. What quantity of land did you value at that time?—I have been employed as a tithe commissioner from time to time since the passing of Mr. Goulburn's first Act.

2296. What quantity of land may you have valued during the course of your experience?—Something about 60,000 acres; not less, certainly.

2297. Did you value, in your character as valuator under the Tithe Composition Act, the parish in which one Thomas Magee, of Clonteen, resides?—Yes, it is at the parish of Clonteen.

Mr. *W. Walker.*

24 April 1837.

2298. Do you recollect valuing the farm of one Thomas Magee in that parish?—I find it in my tithe composition book, which I had in my hand at the last quarter sessions for Longford, when I was called on to prove cases there.

2299. What quantity of land had Magee in his possession?—Eight acres and a half.

2300. Mr. *Robinson.*] Do you say that from your recollection or from the book?—From the book which it was entered in, and which I signed as one of the commissioners.

2301. When did you last see that book?—On the last quarter sessions of Longford.

2302. Mr. *Whitesides.*] What month was that in?—In the latter end of March or the beginning of April, immediately before we left Longford the last quarter sessions.

2303. When you valued the farm, did you see this Thomas Magee himself?—Yes, he showed us the farm when we were first valuing.

2304. He pointed out the farm to you, the quantity of it?—He did.

2305. And what was the quantity?—Eight acres and a half; there may be some perches, but eight acres and a half I am quite clear about.

2306. Will you state to the Committee the value you put on that farm, you and your brother valuator?—The valuation of that farm was under a class; I should say the average was about 25*s.* an acre.

Cross-examined by Mr. *Robinson.*

2307. When was it you valued this farm?—It was immediately after the passing of the Act, I should say in 1825 or 1826; I have valued some in 1825, and I do not know whether any was valued at an earlier period than 1825.

2308. This would be 11 or 12 years ago?—Yes.

2309. You say you have not seen this book since the last quarter sessions?—Not since the last quarter sessions.

2310. And was your attention particularly called to this person's land?—Particularly, because the impression in my memory was, he was one of the parties processed for tithes, and I was one of the witnesses brought up to prove it.

2311. Have you seen this farm since the time you spoke of?—I have.

2312. When last?—Some time in the month of February, I think.

2313. But then you did not value it, as I understand?—I could not value it correctly, because the man kept out of the way, and would not show the boundaries, and of course, after a lapse of 10 or 12 years, I could not trace the boundaries from my memory.

2314. *Committee.*] When you saw the land in February, had there any considerable improvements taken place on it?—I did not see any.

2315. You mean to say there had been no considerable improvements?—In the outward appearance of the houses on the townland there was some little change of appearance, inasmuch as they were whitewashed there, the walls of the cabins.

2316. You did not go into the inside?—I did not.

2317. Your valuation is formed from your personal view of the land?—The first was.

2318. Not the last?—No, on the last occasion we were obliged to take a general view of the townlands, not being able to trace the meerings.

2319. Do you know the number of acres of that man's farm?—It was returned to me at the time, and I have every reason to believe correctly; for at the time I was acting as Tithe Commissioner under Mr. Goulburn's law, the people received it as a boon, and were glad to give every possible information to the Commissioners.

2320. Do you consider that the same land, which in 1825 or 1826 you would value at 1 *l.* 5 *s.*, has not improved in value since?—I have seen no improvement, no change in it.

2321. You valued the land in 1825 and 1826 as worth 1 *l.* 5*s.* per acre; would not that be of more value now, at the present price?—I think not, except the last year's prices have been rather higher.

2322. When did you see the land last?—In February last.

2323. But not the whole of it?—I am not aware whether I did or not, because I could not see the meerings.

2324. You valued it at 25 *s.* an acre?—I should value some of it higher; taking it

it for granted that it was the best in the townland, I should value it something higher; but taking it as the average of townland, I should not value it higher.

2325 Is it reclaimed land?—Some of it requires a great deal more of reclaiming, because some of it is wet-bottom ground.

2326. Has this Magee any other land in his possession which is reclaimed?—Not that I am aware of.

2327. Would not the tenants be disposed to diminish the quantity on the occasion you speak of; would it be their interest to exaggerate or diminish?—It might be his interest to diminish, but I have no reason to think so.

2328. Would not the charge be per acre?—Yes; I have already explained to the Committee why we got good information at that time; but besides that, the agent of this property was then the quarter-master serjeant of the regiment to which I belonged, and furnished me with every information I required.

2329. Has your valuation been acted upon ever since?—Ever since.

2330. By the *Committee.*] When you first saw this land, you had the quantity given you by the occupier?—Yes, and by the agent.

2331. And did the quantity given to you appear to be something like the quantity of the land you saw?—Certainly.

2332. And did you think 1*l.* 5*s.* to be the fair average of that land?—I should think it a very high average of the townland certainly.

2333. You speak from your recollection of that?—I do, from seeing the land very frequently, and going over it.

2334. What are we to understand by the term townland?—It is a denomination of certain portions of land in Ireland; there are so many townlands in a barony or parish, and they have all different denominations.

2335. Do you mean to apply the term townland to the whole of the land in that portion?—Not to all, by no means; but the immediate townland itself and Clonteen.

2336. Is that land near a town?—That is where the man lives, which is eight acres and a half.

2337. Does it lie near a town?—There is no such town as Clonteen.

2338. Why do you use the term townland?—It is a term for a certain denomination of land in Ireland.

2339. We want to know what is the meaning of the term?—There are some portions which contain 500 acres, and some not so much.

2340. Why is it called townland?—I am at a loss to explain the term.

2341. Is it more detached from the town than any other land in the parish?—It is a distinct portion of land within the parish; there is no such town as Clonteen.

2342. Is it what we call accommodation land in England?—It would be something more; what you call a township, as well as I understand the thing; it is a mere denomination; the name of the townland is a denomination; but the townland is generally applied to each denomination, such as the townland of Clonteen, the townland of New Forbes, and the townland of Drumlish.

2343. You only fix the value at 25*s.* for this land, which you now describe as townland?—For that townland.

2344. There is other land in the parish worth more?—There are other lands in the parish worth from 2*l.* to 2*l.* 10*s.* per acre.

2345. Mr. *Whitesides.*] Can you state to the Committee what the cost of building a respectable well-thatched cabin, with three rooms in it, would be?—I took the notes of the evidence that was given before the last grand jury at Longford on the subject.

2346. Do you know of your own knowledge?—Do you mean to say such a house as Magee has got?

2347. Mr. *Robinson.*] Did you go over Magee's house?—I saw the outside walls; and I suppose it was a house from 35 to 40 feet long, and from 14 to 16 feet wide, and with walls from eight to ten feet high; I should suppose a house of that kind, with a little office attached to it, might cost from 15*l.* to 20*l.*; that I take to be the outside valuation.

2348. By the *Committee.*] We have heard from one witness that it would cost 30*l.*, and another has told us 10*l.*?—Certainly I should go between them.

2349. You have seen houses in Ireland that cost more than 30*l.*?—I certainly have.

[*The Witness was ordered to withdraw.*]

Thomas Morrison, sworn.

Examined by Mr. *Whitesides*.

Thomas Morrison. 24 April 1837.

2350. DO you know Thomas Magee, of Clonteen?—I do.

2351. Do you know the rent he pays?—[*No answer.*]

2352. Mr. *Robinson.*] Have you ever seen him pay his rent?—Never.

2353. Mr. *Whitesides.*] Did he tell you the rent he paid?—He did after he was rejected.

2354. Did Thomas Magee tell you the rent he paid for his farm?—

Mr. *Robinson* objected to the question.

Mr. *Whitesides* was heard in support of his right to put the question.

Mr. *Robinson* replied.

The Committee-room was cleared; on Counsel and Agents being called in, the Chairman informed them that the Committee had come to the following resolution:—

"That the question be *not* put."

Thomas Morrison, re-called.

Examined by Mr. *Whitesides*.

2355. Do you know any thing, except from what the voter told you (which you are not to say), do you know any thing of your own knowledge of the rent that Thomas Magee pays for his farm?—I do not know, except what he told me.

2356. Did you ever see his lease?—I saw it in the barrister's hand, but I did not know what was in it.

2357. Was Magee sworn there?—He was.

2358. Did you hear Thomas Magee swear, on his oath, what was the rent he paid?—I cannot remember it; but before he went away he told me the rent he paid.

2359. Did you see the receipt given to Magee for his rent?—I did not.

2360. Did Magee show you yourself, or did he show the barrister a receipt in your presence from Lord Darnley for his rent?—

Mr. *Robinson* objected to the question.

The *Committee* were of opinion the question could not be put.

2361. By the *Committee.*] Did you hear him state to the barrister what his rent was?—I heard him speak to the barrister, but the barrister objected.

2362. Answer the question?—I do not recollect it.

Mr. *Whitesides* stated that he had no further witness to call to prove the rent actually paid.

The *Chairman* then stated, that the Committee had come to the resolution, "That the name of Thomas Magee should remain on the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of William Donohoe; No. 72 on the list, 68 on the poll.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Whitesides*.

Mr. *J. V. Crawford.*

2363. DO you produce the affidavit of registry of William Donohoe?—I do.

[*The following Affidavit was then handed in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third years of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, William Donohoe, of Drumard, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and

and land of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Drumard, barony of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date 1st May 1822; and that I am in the actual possession thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God. 24 April 1837.

his
William ⋈ *Donohoe*,
mark.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.
J. Doherty, Dep^{y} Ass^{t} Barrister.

ENTRY of Certificate of Registry.

County of Longford, } This is to certify, That William Donohoe, of Drumard, was this
to wit. } day duly registered before me, as a voter for this county, in right of a freehold of the yearly value of 10 *l.* situate at Drumard, barony of Longford, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

James Ganly, sworn.

Examined by Mr. *Whitesides*. *James Ganly.*

2364. WERE you at the quarter sessions in 1832 at Longford?—I was.
2365. Is that your book you had with you?—It is.
2366. Will you look at the entry respecting William Donohoe, of Upper Drumard?—I have got William Donohoe, of Drumard.
2367. Was he objected to there?—He was.
2368. On the ground of value?—Yes, on the ground of undervalue.
2369. Mr. *Austin.*] Are you speaking from a minute in your book there?—I am.
2370. Let me look at that, will you?—I will—[*handing the book.*]
2371. Mr. *Robinson.*] You are positive, from seeing that memorandum, he was objected to on the ground of value?—I am.
2372. Is this in your own handwriting?—It is.
2373. Made at the time?—Yes.

[*The Witness was ordered to withdraw.*]

Thomas Morrison, re-called.

Examined by Mr. *Whitesides*. *Thomas Morrison.*

2374. DID you serve a notice to produce a lease on William Donohoe at his house in Upper Drumard?—I did.
2375. When did you serve it?—I served it on the 17th February for the 28th.
2376. On whom did you serve it there?—On his daughter, and three or four girls more in the house.
2377. In his dwelling-house you left it?—Yes.
2378. Did you tell her what it was?—I did.
2379. Was it a similar notice to what you had served before?—Yes.
2380. How old is the daughter?—Twenty-two or twenty-three, as I considered; she appeared to me to be that; I did not ask her her age, but I have known her for a long time.
2381. Mr. *Robinson.*] Did you tell her what to do with it?—I did.
2382. What did you say?—I told her to give it to her father, to produce his lease before a Committee of the House of Commons.

Mr. *Whitesides.*] Do you produce the lease?—
Mr. *Robinson.*] No.

James Ganly, re-called.

Examined by Mr. *Whitesides*.

James Ganly.

24 April 1837.

2383. WAS you present when William Donohoe was registered?—I was.

2384. Will you tell the Committee what rent he paid, and what number of acres he swore he had; what rent did he swear he paid?—He swore he paid 14*s.* 8*d.* an acre for 11 acres.

2385. By the *Committee.*] Did he swear that in your presence?—He did.

2386. Mr. *Whitesides.*] Was it 11 acres in respect of which he claimed to be registered? —It was.

2387. *Committee.*] The 11 acres were the holding under which he claimed to vote?—It was.

2388. That and no other?—It was.

2389. Mr. *Robinson.*] Give us that book again, will you?—I will—[*the book was handed to the learned Counsel.*]

[*The Witness was ordered to withdraw.*]

Mr. *William Walker*, re-called.

Examined by Mr. *Whitesides*.

Mr. *W. Walker.*

2390. I UNDERSTOOD you to say you valued as tithe commissioner the parish in Longford, I believe, of Upper Drumard?—That is the townland of the parish of Lower Killow.

2391. Did you value Drumard in that parish?—I did.

2392. Have you got the book with you?—I have.

2393. Will you be kind enough just to look at the book, to see the value which you put on the farm of William Donohoe; will you look at your entry there respecting William Donohoe of Upper Drumard?—

2394. Mr. *Robinson.*] When was that entry made by you?—I must look at the date of the book; 15th March 1826.

2395. When was it you made the valuation?—In the previous year; at the latter end of the year 1825.

2396. You made the valuation at the latter end of 1825, and that was an entry made in 1826?—This is a book made up from my entries in my field-books as I went along.

2397. Whose handwriting is that you have before you?—It is my clerk's, and I compared it with my own; one of the clerks accompanied me in the field, and it was by my dictation and under my inspection he made the entries.

2398. And that is a copy of the memorandum?—Yes.

2399. In whose handwriting is that copy?—It is in the handwriting of one of my clerks; this is the book that was made for the rector of the parish. Under the compensation law, we were obliged to furnish a book to each tithe-owner, and another to the registrar of the diocese; this is the book furnished to the registrar, and here is the certificate of the registrar of the diocese of its being regularly compared with the one lodged.

2400. In whose handwriting are those entries in that book?—I have distinctly said my clerk's.

2401. Have you yourself since compared those entries in that book with any other memorandums?—I compared them with the entries taken on the field as we went along; each and all of the books we compared with the original book.

2402. Did you yourself compare them?—Distinctly.

2403. Mr. *Whitesides.*] Will you tell the Committee the valuation of this farm?—According to the classification of this farm, I should say 1*l.* 1*s.* an acre is the highest value.

2404. From your great experience and knowledge on the subject, do I understand you to swear that that land, if let to a solvent and responsible tenant, would be worth 1*l.* 1*s.* an acre, and no more?—Upon my oath, if I were setting it as an agent for a man of good property, whose tenants ought to be comfortable, I would not set a higher value on it; I think 18*s.* would be a fair value.

Cross-

Cross-examined by Mr. *Robinson.*

2405. When was it you made the valuation?—In 1825 or 1826.

2406. On that occasion you went over the land?—Certainly.

2407. When did you see it last?—I have seen it riding past frequently; but since then I have not visited it for the purpose of valuing it.

2408. You spoke of 1*l.* 1*s.* an acre being an average; do you mean an average of the whole townlands as they are called, or an average of the land held by this man only?—I mean for Donohoe's only, because it would be considerably too high an average for the whole townland.

2409. That is your opinion?—That is my opinion, of course.

2410. Mr. *Wrangham.*] I think you have already told the Committee you valued 60,000 acres of land in Ireland?—I did.

2411. *Committee.*] Have you seen this land lately?—I have not; I have seen it at a distance from the road.

2412. You cannot speak as to whether it has been improved at all?—I passed over it in 1831, taking the census of the barony in which it is placed; and I did not see any improvement then, or any thing to alter my opinion of its value.

2413. That was as late as 1831?—Yes.

2414. Mr. *Whitesides.*] You took the census of the barony there?—I did.

2415. Mr. *Robinson.*] Who is the landlord of this?—I think Lord Southwell.

[*The Witness was ordered to withdraw.*]

William Stephenson, sworn.

Examined by Mr. *Whitesides.*

W. Stephenson.

2416. I BELIEVE you are a farmer and land-owner in Longford?—Yes, I am.

2417. A considerable land-holder there?—Yes.

2418. Do you understand the value of land?—Yes, remarkably well.

2419. You have valued farms often?—I have valued farms for sale and farms that were let for tenants; I valued an estate for a nobleman in Connaught of 12 or 14 townlands.

2420. Whereabouts do you live in the county of Longford?—I live at a place called Conadron.

2421. Is that far from Drumard?—It is about three miles, I suppose.

2422. Do you know the place there of a man of the name of William Donohoe?—Perfectly well.

2423. That is about three miles from your place?—Yes.

2424. Are you well acquainted with the country where you live?—Remarkably well.

2425. Did you value the farm of William Donohoe, of Upper Drumard, in the barony of Longford?—Yes, I did.

2426. When did you value it?—I cannot say the day; some time in last February.

2427. Did you visit that farm with any other person, for the purpose of valuing it?—Yes, I did, with Mr. Armstrong.

2428. You went together?—Yes.

2429. Will you tell distinctly and carefully to the Committee the quality of the land?—It is of a light, shallow nature.

2430. *Committee.*] What do you mean by that; not a very great depth of soil?—I suppose about four acres or four and a half, at the side of a mountain, on the hill of Upper Drumard.

2431. Mr. *Whitesides.*] Is this place on the side of a mountain, or is it not?—It is on the side of the hill of Upper Drumard.

2432. I believe you call a considerable mountain in that country a hill?—There is a great deal of mountain in that country.

2433. Is this a mountainous country where the farm of Donohoe is?—Yes, it is a mountainous country; all that country, for 10 or 11 miles, is so.

2434. It is a mountainous country?—It is all a mountainous country where the farm of Donohoe is.

2435. Was there a house on this farm?—Yes.

2436. Will you tell the Committee what kind of house it is?—It is a mud-wall house, I think, with the foundation of it built of stone; in that country

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there is three feet, or perhaps two feet, at the bottom of the wall built of stone; the mud wall is clay on the spot, mixed up.

2437. Will you tell the Committee what is the proper kind of manure for that species of land in this mountainous country?—Lime.

2438. Now, from your knowledge of that country, within what distance do the farmers and Donohoe draw their lime?—I think they bring lime from Ballinally, nine miles and a half, and they bring it above my place from a place called Taved, at much about the same distance; one load would be as much as they would bring in a day, for the country is bad; it is a hilly country, and the roads are very hilly.

2439. Do I understand you to say they have to bring their lime nine miles and a half?—They have; I saw them bring it from Ballinally.

2440. And is that the manure they use, and which they are obliged to use for that kind of land?—They use the manure according to the nature of the farm, but generally that mountain country must be first well limed and drained.

2441. Why do you say drained?—To draw the water off.

2442. Is this farm marshy or wet?—It is a little spewy.

2443. Now, then, having examined this farm as you say you did, and from your knowledge of it, what is the highest rent which a solvent tenant could afford to pay for it?—I consider that a solvent man could not pay 1*s.* more than I valued it at, and that is 18*s.* an acre.

2444. That is your belief as to what a solvent tenant could pay?—I valued land far superior to it where there was limestone gravel, and limestone in the rising to the gravel, and that I valued only at 18*s.* an acre, with a very large commonage open.

2445. That estate is in that barony, is it?—Yes, higher up, having limestone and gravel.

2446. And that you valued at 18*s.* an acre?—Yes, 18*s.* 6*d.* an acre; I have the valuation in my hand.

2447. Now, was that better or worse land than Donohoe's?—It is far superior and far better land.

2448. And I believe much nearer the market of Longford?—I should think it is about seven miles or thereabouts.

2449. What distance is Donohoe's place from Longford?—Drumlish is, I believe, about 13 miles from the market-town of Longford.

2450. Is that the market that Donohoe has for his farm?—He may go to Longford and Granard.

2451. How near is Granard?—I think about 10 or 12 miles; I cannot say exactly.

2452. Did you value any farm on the Ballynamuck estate in that country?—I valued the whole estate entirely for Lord Lorton.

2453. At Ballynamuck what size were the farms?—The tenants that come in get from 18 to 32 acres at a valuation.

Cross-examined by Mr. *Robinson.*

2454. How many farms have you valued altogether for the agents of the petitioners?—I cannot say how many farms I have valued.

2455. A great number?—I should think about 13 townlands.

2456. You have been employed to value several farms for the petitioners?—I do not know the gentleman; the petitioner had nothing to do with it.

2457. Who employed you?—Lord Lorton.

2458. That is some time ago; I am speaking of the present time?—I was sent out by Mr. Fox's party to value Donohoe's farm and others.

2459. You have told us that the land of Donohoe is not marshy or wet, but a little spewy?—Yes, it is a fall on the side of the mountain.

2460. You have told us they may go to Longford market, or some other place, which is 10 miles off; do you mean to say there is no market nearer than that?—Arver market is about four miles.

2461. Then, why did you say, in answer to my friend's question whether he might not go to a nearer market, that he might go to Granard, which is 10 miles off?—I considered it was with oats.

2462. Why did you not say that he might go to a market at four miles, instead of

of saying he might go to a market 11 miles off?—It is a small petty market at Arver.

2463. Does a farm of about 11 acres require a pretty good market to carry the produce of it to sale?—I do not conceive it is a good market; I live within three miles of it.

2464. What kind of crops are produced in that country?—All that is according to the way they lime it; it takes from eight to 14 tons of lime an acre.

2465. Does it not produce good crops?—Middling crops.

2466. You say land, which is not marshy, but which produces a good middling crop, is worth 18*s.* an acre, and being within four miles of a market?—It is within four miles of Arver.

2467. You say that land of this sort, near a market, is worth 18*s.* an acre?—I have valued better land than this land, near the town of Arver, for Mr. Cruikshanks.

2468. Never mind that land; you said that the land so situated is not worth more than 18*s.* an acre?—I am perfectly sure of that.

2469. Did you examine the house at all?—I passed by the door; I took a view of it.

2470. Did you go in and take a view of it?—I did not go into the house.

2471. Is it much about the same house as the others in the neighbourhood?—Much the same, I think.

2472. Are there offices attached to it?—There is; I do not know whether it is a barn or outhouse, or what it is that is attached to the upper end of the house; I do not know whether it is a barn or an outhouse of some description; there is something attached to the upper end.

Re-examined by Mr. *Whitesides.*

2473. What kind of a place is Arver?—It is a poor miserable place.

2474. For a man who had any oats or corn to sell, would you say that is a proper place to send it to?—There were never any oats sold in it till this year, to my knowledge.

2475. Mr. *Robinson.*] As I understand you, this year oats are carried to that market?—They are only striving to raise a market in it.

2476. I suppose Donohoe can strive like the others?—I should suppose the would go where he could get the best price for his produce.

2477. If he pleased, he could take his oats to that place instead of any other?—I have seen them from that country travelling by my place to Granard market, and when I go to the market at Longford, I see a number of them in that direction.

2478. *Committee.*] Do you know this voter, William Donohoe?—I do not know his Christian name, but I know a great number of the Donohoes.

2479. Do you know this Donohoe of whose farm we are talking?—I cannot say I do perfectly; I know the family of the Donohoes, five or six of them, but I do not know their Christian name.

2480. You do not know whether he has any stock on his farm?—I really cannot say.

2481. Did you see any when you went to value it?—I cannot say whether I did or not.

2482. Do you know what quantity of land he occupies?—As much as 10 or 11 acres; I am not sure exactly what he holds.

2483. Are there not a great many of this family in the same barony?—Yes.

2484. Do you know James Donohoe?—I cannot say; I know his Christian name.

2485. Do you know Matthew Donohoe?—I cannot say I do; I do not know the Christian names of any of the Donohoes.

2486. You know them by face?—I do know them by face remarkably well.

2487. How many do you know by face in this barony?—I cannot say.

2488. How do you know this farm belongs to William Donohoe?—I was shown it.

2489. By whom?—By a person who was there, who had a general knowledge of the place, and I heard it was William Donohoe who lived there.

2490. Is the person here who showed you?—He is.

2491. Who is he?—A man of the name of Morrison, who went along with me.

2492. What, Marsh?—William Morrison.

 2493. I understood

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2493. I understood you to state 14 tons of lime would be required for an acre?—It would be according to the quality of the land.

2494. How much is lime per ton?—We pay 6*d.* per load for it at the quarry at Tarbur and other places, and they make two or three parts of a load to go down in the mountain country.

2495. How much in that distance would it cost, putting it at a fair price?—It would cost them horse and cart and all, to go; I should think about 2*s.* 6*d.*, and then there would be a man, and they would have to break it and burn it at the kiln.

2496. You say you live there?—I do.

2497. How much does it cost now?—It takes about 4*l.* to burn a kiln of lime, and to lay it on the land.

2498. How much an acre do you estimate the cost of lime?—About 3*l.* 10*s.* to 4*l.* it would cost an acre.

2499. Who is the landlord of this property?—Lord Southwell.

2500. Mr. *Robinson.*] Land that is not wet or marshy would not require so much lime?—The wet and marshy land would want to be drained well first.

2501. You say this is wet and marshy; now, if it was not wet and marshy, would it require so much lime?—The description of wet and marshy lands lies low, and must require to be drained, or the lime is not of service to it if it is not drained.

2502. *Committee.*] What market do you frequent yourself; do you go to Arver, or Granard, or Longford?—I go to Granard with oats.

2503. Arver is the market that is nearest to you; do you go to that at all?—I never sold any thing at Arver yet.

[*The Witness was ordered to withdraw.*]

James Armstrong, sworn.

Examined by Mr. *Whitesides.*

James Armstrong.

2504. I THINK you told us on Saturday that you were a land-owner?—Yes.

2505. Have you acted as tithe commissioner for the parish?—I have.

2506. I understood you were elected by the parish?—I was.

2507. May I ask if you are a voter yourself for the county of Longford?—No, I am not; I have no property in Longford; I never interfered at all.

2508. Were you called on to value the farm of one William Donohoe, of Upper Drumard, lately?—Yes.

2509. How lately?—In February last.

2510. How far is that from the place where you live?—About two miles.

2511. Have you land there yourself?—Not in the county of Longford.

2512. Is it in the county of Leitrim?—No, Cavan.

2513. Within two miles of this farm of Donohoe's, in Upper Drumard?—I live within two miles of the verge of the county.

2514. How far from William Donohoe's farm?—About four miles.

2515. Are you acquainted with the value of land in that district of the county?—Perfectly.

2516. Could you tell the Committee what kind of ground it is; whether it is low ground or high ground?—There is a great piece of ground, called mountain ground, perhaps about ten miles square, and the principal part of that ground is land of a very inferior quality.

2517. Is this a part of the mountain ground, Donohoe's farm?—Yes, it is a part of that mountain ground.

2518. Did you examine the farm?—I did, particularly.

2519. Then state what kind of land this farm is; what is the quality of the land?—It is a farm of light clay soil; part of it very light red tilling ground, particularly the part that is highest.

2520. What kind of house is there?—It is a very inferior mud cabin, part stone and part clay.

2521. How much of it stone?—Perhaps one-half; I am not quite certain, it may be one-half, but it was in a wretched filthy state.

2522. Can you state what is the proper kind of manure for this mountain land?—That part of the land is not worth cultivation without ditching and draining and liming; lime is the principal manure that is calculated to give a crop in that part of the country.

2523. Can

2523. Can you state what is the distance the tenants of Drumard have to draw their lime?—I think about eight miles. *James Armstrong.* 24 April 1837.

2524. What do you think, from your knowledge and skill on the subject, including the house and every thing, what is the highest value, according to your judgment, which a solvent and responsible tenant could afford to pay for this farm?—The highest value I could possibly put upon it is 18*s.* an acre. I forgot to mention that the summit of the farm has not been cultivated, and in its present state is not worth 10*s.* per acre; it is grown over with furze and whins, and is in a very bad state.

2525. What would the house cost, suppose it was new?—The house and every thing connected with it would scarcely be valued at 10*l.*, and I am sure I am over the mark.

Cross-examined by Mr. *Robinson.*

2526. Did you go to the house?—I went to the door.

2527. Were you examined the day before yesterday as to Matthew Donohoe's vote?—Yes.

2528. *Committee.*] Do you know William Donohoe?—I cannot say I do; I am sure I met him; I know I met the man, but to know him distinctly I cannot say.

2529. Had he got any stock on his farm?—I do not recollect.

2530. How do you know that William Donohoe occupies land as to the value of which you are giving evidence here?—From the information I got, and I have known the neighbourhood perfectly for 20 years or more, and particularly this part, because it is adjacent to the road.

Mr. *Whitesides.*] That is my case.

Mr. *Thomas Nesbitt,* sworn.

Examined by Mr. *Robinson.*

2531. ARE you a land-owner of the county of Longford?—I am. Mr. *T. Nesbitt.*

2532. You were examined two or three days ago, I believe?—I was.

2533. Do you hold a considerable quantity of land?—I hold in my own hands above 60 Irish acres.

2354. Are you well acquainted with the value of land?—Yes, I am; and ought to be now.

2535. You have been accustomed to it all your life?—I have all my life, since I was able to value land.

2536. Were you employed to value some land at Drumard?—I was.

2537. When was that?—In the beginning of February last.

2538. Did you value some land of William Donohoe's there?—I did.

2539. He is a tenant of Lord Southwell's?—Yes, he is.

2540. How much land does he occupy there?—I believe he occupies eleven acres and a half.

2541. You saw the place?—I saw the place, and saw his lease.

2542. What sort of land do you say it is?—It is good tillage land, land I think well worth 30*s.* an acre, and with the house and offices upon it worth 35*s.* an acre.

2543. Were the house and offices such as an occupier of land of that sort would require?—Yes.

2544. Good enough for such a farm?—Yes, comfortable; and plenty of provision both inside and outside of it.

2545. If you are valuing land, supposing you do not put a value on the house itself, land is worth so much the more if there is a house to live in on it?—I think the land would be a good take, if I may use the term, at 30*s.* an acre, without any house on it; and I would take it at that myself.

2546. *Committee.*] And with the house would you give 35*s.*?—Perhaps that house might not answer for me; but for a tenant such as for whom it would answer, it would be worth 35*s.*; I would not give a farthing for such a house, if I was to take a farm of that kind.

2547. Mr. *Robinson.*] Was there stock on this farm when you saw it?—They had, and I was astonished they had so much stock on it; it was through that I made inquiries, and I came to know they had waste land attached.

Mr. *T. Nesbitt.*

24 April 1837.

2548. There was stock on it?—Yes.

2549. What was that stock?—Cows and horned cattle.

2550. How many?—I cannot exactly say.

2551. *Committee.*] You swear more than one?—There was; it was in the month of February, and the cattle were about the house, and I asked them if the man fed all that cattle.

2552. Mr. *Robinson.*] Do not tell us what was said; what quantity of stock or cattle did you see on the farm?—Horned cattle.

2553. How much?—I cannot exactly say the number; it appeared to me to be a good number to feed on so small a farm.

2554. Was there enough to catch anybody's notice who was valuing the farm properly?—There was.

2555. Who went with you?—Mr. Gregory.

Cross-examined by Mr. *Whitesides.*

2556. You say the house would not answer you; I suppose the farm would do to a nicety?—If the farm was large enough, and was convenient to me, it would answer.

2557. Would the farm answer you now in its present state?—It would answer me, if it was large enough.

2558. Will you swear to the Committee that the farm, which is worth 30*s.* an acre in itself, is worth 35*s.* with that house that is on it?—I can positively say it is, to the best of my judgment and belief, to a tenant such as that farm would answer for.

2559. You put 5*s.* an acre on the farm as a value for the house that is on it?—I did.

2560. Is that a fair and reasonable valuation for the house, 5*s.* an acre?—I think it is on four acres and a half; if there were 20 acres, I should not value it at perhaps more than half-a-crown; it is according to the quantity of the land; if there was 30 acres, the value of the house would be still less on the acre.

2561. Then the house, as a house, would become of a very different worth, according to the number of acres that is attached to it?—If there is 10 acres, it becomes more valuable than if there was 30.

2562. Where do you live, may I ask you?—I live in the county of Leitrim.

2563. How many miles, on a fair calculation, do you think you live from this farm?—I should suppose about nine miles from this farm; on or about that.

2564. How did it happen you was selected for the purpose of making this valuation?—I do not know, except this, that I was in the habit of valuing land.

2565. Now, Mr. Nesbitt, were you not selected because you have been, and very properly, a most active and efficient agent for Colonel White at every contested election for the last 20 years?—I think the last day I was here you asked me that.

2566. How is that; I desire to ask you again?—If you will tell me what Colonel White, I will give you an answer.

2567. Then I will say Mr. White?—There are three or four Mr. Whites.

2568. For Mr. White, when he stood for Dublin?—I never was.

2569. By whom was you employed?—I was employed by the friends of old Mr. Luke White deceased, and for the Member for Leitrim; I was never employed for the Member for Longford.

2570. But for Dublin and Leitrim?—Never for Dublin.

2571. Can you tell the Committee any one farm in the neighbourhood of Donohoe's farm which lets at 1*l.* 10*s.* an acre?—No; I will tell you I am not acquainted with the country, and I went on the farm to value it as it appeared to me; I have no interest in saying what is not the fact, and I say it is worth 1*l.* 10*s.* an acre, if there was no house on it.

2572. Can you tell the Committee of any other farm in that district of country which is let at 1*l.* 10*s.* an acre?—I dare say there are several hundred acres about there, and it is all under the denomination of Drumard Moor.

2573. I ask you again, can you state to the Committee a single instance of any one farm (I do not care under what landlord) within that district, for 10 miles round, which brings in the market 1*l.* 10*s.*?—Yes, certainly; I pay 2*l.* 18*s.* myself for land, and from that down to 9*s.*

2574. In the county of Longford?—No, in the county of Leitrim.

2575. Did

2575. Did I ask you a word about the county Leitrim?—You said 10 miles round.

2576. In the county of Longford, or the barony of Longford, can you tell the Committee a single instance of a farm let for 1*l.* 10*s.* an acre?—Immediately about this place, I do not; but in the barony of Longford I dare say they are let a great deal higher.

2577. Do you know any farm in that district let at 1*l.* an acre, of your own knowledge, in the Drumard district?—The land about Donohoe's farm is all set pretty much in the same way, but in the barony of Longford there are lands let at 2*l.* 2*s.*; there are different lands; I will not say whether they are all set at one rent.

2578. Did you not say at this moment to me that the farms in the district about Donohoe's farm are all set at pretty much the same rent?—That is Lord Southwell's property.

2579. You meant Lord Southwell's property?—Just so; it is a large property.

2580. Now, tell me any other farm, under any other landlord, that is let at a higher rent?—I am only acquainted with the farms over which I have had occasion to go.

2581. Now, will you tell me within what distance lime can be brought to Donohoe's farm; is not lime the proper manure for it?—It does not appear to me to be mountainy land.

2582. I ask you what is the proper manure for that land?—I say cow-house manure and stable manure is very fine, and lime for one manuring for such land is very fine; one manuring in 20 years.

2583. I ask you within what distance lime can be brought to Donohoe's farm within your knowledge?—There is a man of the name of Kane who has a quarry on his land, and I think that is within about three miles of it.

2584. Do you swear to the Committee, that of your own knowledge lime can be brought and is brought to Donohoe and the farms about, from a distance of three miles?—Indeed I will not swear any such thing, but I believe it is not more than that.

2585. Can you of your own knowledge swear that lime can be brought to it within a distance of three miles?—I cannot, no more than this, that this man's quarry is not more than three miles from it; I was in the quarry and saw it worked.

2586. Do you think people who had lime within three miles would send nine miles for it?—I think they would not.

2587. How do you know the cattle you saw on it were William Donohoe's cattle?—I will not swear they were his cattle.

2588. There were some cattle on the land?—Yes, there were.

2589. And there are several Donohoes in that neighbourhood?—Yes.

2590. And there were some horned cattle there when you were there?—I saw stock on every farm I was on.

2591. Can you tell the Committee where the cattle came from?—I saw cattle about the house.

2592. Were they grazing in the field?—They were about the house.

2593. Can you say how long they had been there?—I really cannot say.

2594. Will you swear they were there the day before?—I cannot swear they were there or were not; they seemed to stand very quietly there.

2595. The house is a good house I believe?—It is a mixture of mud and stone.

2596. Did you make a calculation of the precise value you put on this farm when you were on it?—I took my notes, and I would not alter my mind for anybody; I would not change my mind from what appeared to me to be the fact.

2597. Will you tell me this; where are your notes, those infallible notes of yours?—They are in London.

2598. Whereabouts in London?—At Charing-cross.

2599. Where you lodge, I presume?—Yes.

2600. You knew you were coming here to be examined to-day to satisfy this Committee about the value of the farm, and the book in which you made the entries you left behind you?—I have a memorandum; I have an extract in my own handwriting of it.

2601. You did not bring the book itself?—No.

2602. But you made an extract from it?—Yes.

2603. Have you got the book at Charing-cross which you mentioned?—I have.

Mr. T. Nesbitt.

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2604. Was there a list furnished you of the votes you would be asked about to-day?—The attorney did tell me such and such men would be examined.

2605. And he furnished you with a list, and then you looked in the book?—Yes.

2606. Did you make a calculation of the rent?—I never calculated one of them, to know whether they would bear a freehold or not.

2607. And you do not know at this moment whether your evidence would make out a freehold or not?—Positively not; I do not recollect it.

Re-examined by Mr. *Robinson*.

2608. You will not swear this stock was not there before you were there?—No, I will not swear that.

2609. Have Lord Southwell's tenants usually stock about their land?—Every man whose land I was on had stock.

2610. Did the tenants appear to be in a very good plight?—They did, and seemed to be very comfortable.

2611. They did not appear to be very hard pressed in the way of rent; was there any appearance of distress?—There was no appearance of distress, but quite the reverse.

2612. As to the land being worth 30*s.* per acre, have you any doubt that at all events it is worth 32*s.* with the house?—I have no doubt it is worth that and more; I would not swear for any man but what I believed.

2613. This quarry you spoke of is within three miles, you say?—Yes, I think so.

2614. Mr. *Whitesides.*] Do you know in whose interest Lord Southwell's tenants are?—I believe there are some of them in the interest of Mr. White.

2615. *Committee.*] Are you positive that this place where the lime is got from, is within three miles?—I should think so.

2616. Is there an opportunity of getting lime within three miles, will you swear that?—To the best of my knowledge I think it is about that.

2617. It is not nine miles?—I do not think it is.

2618. Are you positive it is not?—I am sure of it.

2619. Does Donohoe get his lime there?—I do not know; the lime would be the best for mountain land in the first state of reclaiming from heath, to bring it into tillage; lime would be the best manure for that purpose.

2620. You valued the land of this farm at the least at 30*s.*?—Yes, or more.

2621. Do you mean to say you would yourself give that sum?—I would give about 30*s.* for it without a house, provided it was a larger farm than it is.

2622. With the house, if you wanted such a farm, would you give that sum yourself for it?—I would; I pay myself 2*l.* 10*s.* for some land.

2623. Mr. *Whitesides.*] In another part of the world?—No, in the county of Leitrim, where land is not so valuable as in the county of Longford; it is nearer a corn-market than the other.

2624. *Committee.*] How much would that house cost to build?—I think the house and offices on this man's farm could be all built for 15*l.*, or from that to 20*l.*

2625. And you say it is worth 2*l.* 15*s.* rent?—I think the house and offices could be built at 20*l.*

2626. Do you mean the house as it now stands is worth 20*l.*; you say it could be built at 20*l.*; what is its present value?—That is the value, about 20*l.*

2627. Do you know this man William Donohoe?—I never met him before I saw him on the farm.

2628. Do you know whether he has a family?—I saw a family in his house; I saw his wife and children in the house.

2629. Has he several children?—I think I saw one or two, I did not ask whether they were his children or not, in the house.

2630. Is the house nearly new?—It seems to me to have been built some time.

2631. Is any of the land at the side of a hill or mountain?—It is not mountain; it is not at the side of a mountain at all, but there is a skirting of bog, what we call waste, attached to it, of which part was in tillage.

2632. But you could not see any mountain?—I did not see any; it was in the barony of Longford, and there is a good deal of mountain there.

2633. Mr. *Whitesides.*] It is at the side of a hill, is that what you say?—The land is all composed of three; they call them the Lower Drumard, the Middle Drumard, and the Upper Drumard; I took them all as one.

[*The Witness was ordered to withdraw.*]

Thomas

Thomas Gregory, sworn.

Examined by Mr. *Robinson*.

Thomas Gregory.

24 April 1837.

2634. YOU have land in the county of Longford?—I have.

2635. Are you acquainted with the value of land there?—I am.

2636. Have you been long acquainted with the value of land there?—Forty years.

2637. Did you go over the land of William Donohoe at Drumard?—I did.

2638. With Mr. Nesbitt?—Yes.

2639. What should you say the land is worth per acre?—We valued the land the other day at from 35*s.* to 37*s.* or thereabouts; I think it is very good value at 35*s.*

2640. You mean, by a very good value, it would not be too high?—Indeed, I think not.

2641. Do you know any thing of a lime-quarry near?—I know there is a lime-quarry within five or six miles, or less than that; there are different quarries, but one quarry is less than five miles, at a place called M——, on the road leading from where I reside to that farm; I know it perfectly well.

2642. Do you know Donohoe?—Perfectly well.

2643. Has he any family?—He has.

2644. Children?—Yes, a wife and family.

2645. Has he stock on his farm?—Yes, he is rather comfortable; there is not an uncomfortable tenant on any part of Lord Southwell's estate.

Cross-examined by Mr. *Whitesides*.

2646. Lord Southwell is a paragon of a landlord?—Yes, he is a very good landlord.

2647. Why do you say every tenant on his estate is a most comfortable tenant?—I like to do every gentleman justice.

2648. And you like to do the tenants justice?—I do.

2649. You are a voter yourself for the county, I believe?—I am.

2650. And voted yourself, of course?—I did.

2651. For the Sitting Member?—Yes.

2652. I believe you are a member of the Liberal Club?—I am not a member, but my son is.

2653. Were you a member?—I do not recollect being one.

2654. Was it shortly before you came up here to be examined, that you withdrew your name from it?—I am quite sure it was not.

2655. They appointed you to value this farm?—They did.

2656. You and Nesbitt went together?—We did.

2657. Did you know Mr. Nesbitt before?—Yes, perfectly well.

2658. Was it on the ground you settled the value?—Yes.

2659. And agreed on 35*s.* to 37*s.*?—I agreed upon 37*s.*, and I have seen land in the county at 37*s.* much worse in quality.

2660. You declare, from your knowledge of the country, you have seen much worse land than that fetch a higher rent?—Yes, I have.

2661. Tell us in what part of the country there is land of the same quality let at 37*s.* an acre?—In the parish I live in.

2662. Do you mean to represent to the Committee, that the land in the parish you live in, near Donohoe's land, is of the same nature and quality?—I know there is land in the parish I live in of a worse quality than Donohoe's.

2663. Land you have yourself?—I have some land myself of a worse quality.

2664. Do you pay upwards of 37*s.*?—No, I do not, but I get 37*s.* for it.

2665. How near is that to Longford?—Within three miles.

2666. How far is this from Longford?—Nine or ten miles.

2667. You are what we call a middle-man, and you let what we understand by con-acre?—No.

2668. What quantity do you let at 37*s.*?—From 10 to 15 and 20 acres, according to the farm.

2669. Within three miles of the town of Longford?—Yes, I will tell you what I got the other day; I got for land of a worse quality 30*s.* an acre for it, and 35*l.* 5*s.*

2670. What was the quantity precisely?—Ten acres precisely.

Thomas Gregory.

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2671. How far from Longford?—Something better than three miles.

2672. How far from Donohoe's?— Seven or eight miles from Donohoe's.

2673. Is the land in Longford you are speaking of, of the same nature and quality as Donohoe's farm?—There is some of it I know of a worse quality.

2674. I speak of the land within three miles of the town of Longford; is that of a worse quality than Donohoe's farm?—Some of it is worse, and a great deal of it better.

2675. Is it not the truth, that by far the greater portion of it is a good deal better?—Yes, the greater portion is better.

2676. The greater portion of it is worth more than Donohoe's farm?—A greater portion of the land is a good deal better.

2677. What rent would you put on that good land near Longford?—Land goes near Longford at a very high rent.

2678. Did you yourself value the townland of Kenton, in this very parish?—No.

2679. Were you called on to put a value on the land?—Never.

2680. Mr. *Crawford.*] A gentleman of that name?—Not for a long time; that is better than 20 years since.

2681. Did you value the townland of Kenton, in this very parish where Donohoe lives, for Mr. Crawford, in that county?—I assisted to set a valuation on it between tenants; there was a dispute among themselves, but no valuation for a landlord.

2682. What rent did you put for this land, in the valuation of which you assisted?—I forget it.

2683. Upon your oath, was it not 18*s.* an acre?—At present I protest I forget.

2684. Was it not 18*s.* an acre which you put on this land?—I do not know; I kept no account of it; I made no entry of it.

2685. Was it not 18*s.*?—I do not know; if I knew I would tell you, as plain as I could speak.

2686. Can you form no belief?—I can form no belief, except when the fact is true or certain.

2687. Can you tell the Committee within 10*s.* what you valued it at?—I did on the spot.

2688. And entered it in the book?—Yes.

2689. Where is that book you made the entry in?—I did not bring it with me; I thought I should have no occasion for it.

2690. Where is the book in which you made this entry?—It is in town.

2691. Where is the book?—Give me leave for half an hour, and I will bring it.

2692. Where is the book, I ask again, on your oath?—I will bring it you in half an hour.

2693. Where is the book you brought with you?—I was told the book was not necessary.

2694. On your oath, where is that book?—If you will let me go to my lodgings, I will bring it.

2695. The *Committee.*] Is the book at your lodgings?—It is.

2696. Where do you lodge?—At Charing-cross.

2697. Mr. *Whitesides.*] Do you mean to swear that book is now at your lodgings?—I will find it in half an hour.

2698. On your oath, where is that book?—I will send for it, if you will give me leave.

2699. I again ask you, on your oath, where is that book?—It is in my pocket—[*producing it.*]

Re-examined by Mr. *Robinson.*

2700. What is the book you have got at your lodgings?—The book I took down the beneficial interest in; I was told it would not answer here; I made a note of what I thought it was worth per acre.

2701. What is the book you produce now; was it made at the time you made the valuation?—Just at the time.

2702. What is the book you have at your lodgings?—It is just what I put down what I call the beneficial interest in; here is the return I made at the time.

2703. *Committee.*]

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24 April 1837.

2703. *Committee.*] What do you mean by a book as to beneficial interest?—In which I took down an account of the stock and the tillage, and the offices and all.

2704. You had better bring that book with you to-morrow morning?—I will.

2705. Mr. *Robinson.*] That book you say you made at the time?—Yes.

2706. This land that you have been asked about, which you valued 23 years ago, you valued between two tenants?—Certainly, between two tenants.

2707. And not between landlord and tenant?—Not at all; one was Mr. Macconochie's estate.

2708. *Committee.*] You put different values when you value between two tenants, and when you value between landlord and tenant?—Yes; whatever rent the tenant ought to pay, we look at it to see what they ought to pay to make a fair apportionment between the tenant; what they should pay for the landlord's rent.

2709. When you value as to beneficial interest, how do you estimate it; first, do you know what the man paid; were you ever told what he actually paid before you began to value the land?—We did not consider it.

2710. Did you know the rent he paid?—I knew the rent he paid.

2711. In order to estimate the beneficial interest in that land, according to what mode did you proceed?—According to the stock he had on the land.

2712. If you happened to see that land when there was a bad crop on it, you would not have estimated the beneficial interest so high; it is according to the season?—No, I would not; if I saw a bad crop, I would not value it so high.

2713. What is the proper manure for that land?—The manure that they make about the house.

2714. How should it be manured; would you put lime on it?—That is when they have got strong ground.

2715. What is the proper manure?—Lime is the best manure for it.

2716. How near is lime to be got?—Five or six miles.

2717. You are certain it is not nine?—I will swear that.

2718. Will you swear it is not as near as three?—I will not swear that.

2719. How much of this farm lies on the side of a mountain or hill?—I did not see any mountain on this townland at all.

2720. You know William Donohoe?—Yes, very well.

2721. Will you please to bring your book when you come again?—I will.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed that the Committee had come to the following resolution:—

"That the vote of William Donohoe be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is Hugh Donohoe; 425 on the poll, 126 on the list of objections.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Wrangham.*

Mr. J. V. Crawford.

2722. HAVE you the certificate of registry of Hugh Donohoe?—Yes.

[*The following Document was then handed in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Hugh Donohoe, of Furmullough, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.*, above all rent and charges payable out the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Furmullough, barony of , in the county of Longford; and that the said freehold

24 April 1837.

freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 1st day of May in the year 1822; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county city or town. So help me God.

Hugh Donohoe.

Sworn and subscribed before me in open Court,
this 15th day of November 1832.
J. Doherty, Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of Certificate of Registry.

This is to certify, That Hugh Donohoe, of Furmullough, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Furmullough, barony of , in this county.

Dated this 15th da yof November 1832, at Longford.
J. Doherty, Deputy Assistant Barrister.
J. V. Crawford, Clerk of the Peace.
Certificate, No. 1203.

James Ganly, re-called.

Examined by Mr. *Wrangham*.

James Ganly.

2723. JUST look at the note you have of Hugh Donohoe, of Upper Drumard?—The note I have is of Hugh Donohoe of Lower Drumard.

2724. Were you present when he was registered?—I was.

2725. Was there any objection taken on the ground of value?—Yes.

2726. Mr. *Robinson.*] What place was it?—Lower Drumard.

2727. You say there was an objection taken on the ground of value?—There was.

2728. Will you allow me to look at that book?—Certainly.

2729. Is this your own writing?—It is.

2730. From your looking at that, you are certain he was objected to on the ground of value?—Yes, I am.

2731. Mr. *Wrangham.*] What number of acres and what rent did he swear to?—Eleven acres at 15*s.* an acre.

2732. That he swore when he came up?—Yes.

[*The Witness was ordered to withdraw.*]

Thomas Morrison, re-called.

Examined by Mr. *Wrangham*.

Thomas Morrison.

2733. DID you serve a notice to produce Hugh Donohoe, of Lower Drumard?—I did.

2734. On what day did you serve the notice?—I served it on the 17th for the 28th; I gave it to his wife at the house; she said her husband was sick up stairs; she wanted me to go and see him, but I declined going.

2735. Mr. *Robinson.*] You left a notice like the others?—The same as the others, the same day.

[*The Witness was ordered to withdraw.*]

William Walker, sworn.

Examined by Mr. *Wrangham*.

William Walker.

2736. DID you on any occasion value the holding of Hugh Donohoe, of Lower Drumard?—I did; I have it here.

2737. What value did you put on it per acre, as a rent which a solvent and respectable tenant could fairly afford to give for it?—According to the classification of it in this book, I should say about 1*l.*; I beg to be understood I am speaking of a high value.

2738. Speaking

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2738. Speaking of a high value, do you undertake to tell the Committee, that about 1 *l.* is what a solvent and responsible tenant could fairly afford to give?—I do.

2739. What sort of land is it?—There is in the townland a considerable quantity of moory soil, some varying from deep to shallow moor; and the best of the upland is a shallow, clayey soil.

2740. So that taking the whole together, you put that as a high value on it as to rent?—On this holding I do; I do not put so high a value on the whole townland.

2741. On this holding you put the value you have told us?—I do.

Cross-examined by Mr. *Robinson.*

2742. Do you know this man yourself?—I do not know him personally.

2743. Who told you it was Hugh Donohoe's?—I have no doubt of it, because all the people attended and showed me the farm.

2744. Who told you?—The man himself.

2745. Somebody told you, you do not know who?—We had guides with us, but the people were all volunteering to show us their own land; they were ready and willing to do it.

2746. Why do you say it was Hugh Donohoe's; because other people told you so?—I will not say positively it was Hugh Donohoe's, but I have no doubt in my own mind whatever.

2747. Will you let me look at that book; it does not say any thing about the amount?—Not in that part of the book.

2748. Just show me where it is contained?—There is no entry about the rent, but an entry about the proportion of tithes allotted on each holding. This was for the purpose of applotting the tithes.

2749. There is no entry about the value of the land per acre?—We were not called upon under the law to make an acreable value, but we knew the quality of the soil, and what it was worth per acre.

2750. What makes you say, by looking at that book, that it was worth 1 *l.* an acre?—I say from the class in which I find it in the book.

2751. Just explain that?—I find Donohoe has two acres two roods of the first class.

2752. What has he of the second?—Eight acres two roods.

2753. And what else?—That is the whole.

2454. Let me look at your entry about the first class?—Here it is; I have shown it to you. I have not the acreable value; I have the tithes on the first class; I will tell you the tithes, if you please.

2755. Tell us the tithes?—One shilling and seven-pence halfpenny for tithes on the first class, and 1 *s.* 1 *d.* on the second.

2756. Just explain how from that you come at the average of 1 *l.* an acre?—The first class of land I conceive in that parish would be worth from 27 *s.* to 30 *s.* an acre, abstracted from all the other qualities of the ground; and I look on it the second class in that parish would not be worth more than from 16 *s.* to 18 *s.*

2757. What do you mean by abstracted from all the other qualities of the land?—The best class taken by itself; there is no prime ground in that parish at all.

2758. *Committee.*] How much do you say for the first class?—From 27 *s.* to 30 *s.*

2759. Mr. *Robinson.*] Do you state that from your recollection, or is there any entry in the book which shows what you valued the first class at?—I state that from my own opinion and my conviction of the value of land.

2760. Is that from recollection, or looking at your book?—I should say, from looking at the book, that I know the general character of the land in the parish.

2761. Is that from your recollection, or from what you saw when you valued it?—Yes, coupled with the entries which I found in the book.

2762. What entry is there?—I would not be able to say what this Mr. Donohoe's land was worth per acre, if I did not see this book.

2763. Is there any entry in that book, showing at what per acre you valued the first class; you said from 27 *s.* to 30 *s.*; is there any entry in that book that shows that?—None.

2764. You spoke of the survey you made in respect of the tithe commutation?—Yes.

2765. That is from your recollection of the impression made on you then?—From the general recollection of the land, which is identified strongly to me by the entries in this book.

2766. So far as respects the amount from 27 *s.* to 30 *s.*, there is no entry in the book; that can only be from recollection?—Yes.

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2767. If I understand you, that took place in 1825 or 1826?—The view took place in the latter end of 1825; some might be in 1824. I find that the date of our applotment, fixing the arrangement of the parish, would be January 1826.

2768. Did you see a house on the land?—Of course I did, but I cannot speak to the house at all.

2769. You have made no regular survey or valuation since that time?—No, not since that occasion.

Re-examined by Mr. *Wrangham.*

2770. My friend has asked you about entries in your book, and you say, by that entry, you put in what you call 1 *s.* 7½ *d.* for tithes for the first class?—Yes.

2771. And 1 *s.* 1 *d.* for the second?—Yes.

2772. Does that entry of so much for tithes give you a measure of the rent you would put upon it?—It does, because we do not lay it on quite so heavily in proportion on the first class as on the second, because it was the people who held the worst ground who were most relieved by that law.

2773. I understand you to say, that the 1 *s.* 7½ *d.* entered as the tithe of an acre of the first class land represents a certain amount of rent?—Of course it does; calculations are made on our opinion of the land.

2774. That gives you as good means of refreshing your memory as to the value of the land, as if the value of it as rent, instead of the tithes, was put down in that book?—Yes, certainly; I know the amount of tithes without turning to the calculation.

2775. These valuations I understand you to have made long before any question about this seat arose, or any thing like it?—I never dreamt of being produced as a witness, or any thing of the kind.

2776. Mr. *Robinson.*] How many classes of land have you taken in this parish?—Three.

2777. What is the value of the third class?—Seven shillings an acre.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* contended that the evidence given was against Hugh Donohoe, of Drumard, and that the certificate produced applied to a different person.

Mr. *John V. Crawford*, re-called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

2778. HAVE you, in your register for the county of Longford generally, any other than one Hugh Donohoe?—I have no Hugh Donohoe on this record but one; it is styled Furmullough in the entry in the book.

2779. Is the voter to which that register refers, Hugh Donohoe, of the barony of Drumard?—It is in my book so.

2780. There is no other Hugh Donohoe in your book of registry?—No.

2781. What description of residence does that contain?—A farm at Furmullough.

2782. Is that the place of his residence?—It is.

Cross-examined by Mr. *Robinson.*

2783. Is there no other Hugh Donohoe on the poll?—I cannot say.

2784. Do you know a place of that name?—I cannot say I know the place; I know the country very well; I know there is a place of that name in the country.

[*The Witness withdrew.*]

Mr. *Robinson* withdrew the objection.

James Armstrong, re-called.

Examined by Mr. *Wrangham.*

James Armstrong.

2785. DID you go to value the farm of Hugh Donohoe?—I did, in conjunction with Mr. Stephenson.

2786. What description of land does it consist of?—It is a clay soil.

2787. What value do you put per acre on the land as the rent which a solvent and responsible tenant could fairly afford to give?—I believe Stephenson and

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and I, in the first place, had a contention on the farm, and I believe, on my oath now, that Stephenson's valuation was better than mine.

2788. What was yours, and what was his?—I valued it at 1 *l.* 4 *s.*, which I believe, if any thing, is exaggerated.

2789. And Stephenson's valuation was what?—I believe 1 *l.* 2 *s.*; 1 *l.* 1 *s.* or 1 *l.* 2 *s.*, I am not sure.

2790. There was a contention between you as to which was the right value?—Stephenson thought it was not worth so much as I did; I believe it is scarcely worth, taking cabin and every thing into consideration, what I valued it at.

Cross-examined by Mr. *Robinson.*

2791. When was it you made the valuation?—In February last.

2792. Did you see a house on the land?—Yes.

2793. Did you examine that?—I did.

2794. What sort of a house is it?—The house is stone and mud.

2795. By Mr. *Whitesides.*] Is that what you call the mud cabin?—Yes.

2796. *Committee.*] What do you think the house is worth?—I really cannot say.

2797. This valuation includes the house?—Yes.

2798. Every thing?—Yes, every thing.

[*The Witness was ordered to withdraw.*]

William Stephenson, re-called.

Examined by Mr. *Wrangham.*

William Stephenson.

2799. DID you go with Mr. Armstrong to value the farm of Hugh Donohoe?—Yes, I did.

2800. What is the value that you put on that farm per acre, as the rent which a fair, solvent and responsible tenant could fairly afford to give?—One pound one shilling.

2801. You know this country perfectly well?—Remarkably well; I have known it for many years.

2802. Is it a country where crops can be had without lime manure?—I should think not.

2803. What distance is it you have to go in order to get lime?—I suppose they go to Tubber, above my place, or Ballinalee.

2804. How far is each of those places from this farm?—I suppose it is about three-quarters of a mile further down than the other man's.

2805. Then it would be nearly 11 miles?—I should think it is three-quarters of a mile further.

2806. You say you know this country very well?—Perfectly well.

2807. It has been stated here there is a place within four or five miles of Hugh Donohoe where they can get lime?—I do not know any thing about it.

2808. Did you ever hear of such a place?—I never heard of such a place.

2809. Do you know of your own knowledge that the people living there, the neighbours of Hugh Donohoe, are in the habit of getting their lime either from Tubber or Ballinalee?—I know townlands beside my land, and I see them generally go by my place to get their lime.

Cross-examined by Mr. *Robinson.*

2810. Do you know M———?—I do.

2811. Is there not limestone there?—There is, but it is not worth burning; it is rotten limestone; the people about the place burn it, but they never draw it.

2812. It is used, is it?—Yes, the neighbours that live just at the side use it.

2813. How far is that, do you say, from Donohoe's farm?—I think it is about seven miles; I think it is about three miles from Ballinalee.

2814. Do you know a man of the name of Kane?—Tom Kane is the man that owns the quarry; it is rotten limestone.

2815. You have stated generally that the land in this barony requires to be manured by limestone?—Yes, that is the mountainous country.

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2816. Some of it I fancy is more mountainy than others?—Yes.

2817. Did you see other manure about the land of this voter, Hugh Donohoe?—There might be a trifling manure in the street.

2818. Did you observe it?—No.

2819. Did you observe stock on the land?—I really cannot say; there might be stock unknown to me.

2820. How long was you making the valuation altogether?—We were on it, I should think, better than a quarter of an hour, and we sat at the back of a ditch taking the notes, and Mr. Armstrong and I differed a little.

2821. Whether there was stock on it, you do not know?—I really cannot say.

2822. Mr. *Wrangham.*] At all events you do not remember to have seen any?—No.

2823. My friend has asked you of other manure; you said there might be some in the street?—Yes.

2824. You mean some that comes from the house itself?—Yes.

2825. *Committee.*] How far do you live from Donohoe?—I live, I should suppose, about four miles, or four miles and a half.

2826. Do you get lime from Ballynadue?—No, there is no lime drawn from there, except by the people about the place.

2827. Mr. *Robinson.*] One word about that manure; did you observe any cattle manure?—Nothing except the scrapings of the street, or something of that kind.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham*] This is my case against the vote.

Mr. *Thomas Nesbitt*, re-called.

Examined by Mr. *Robinson.*

Mr. *T. Nesbitt.*

2828. DID you go and examine the land of Hugh Donohoe, of Drumard?—I did.

2829. Did you go with the gentleman we saw here, Mr. Gregory?—I did.

2830. Did you examine it carefully?—I did.

2831. What do you say the value is per acre?—I think it is the same value as the other I mentioned.

2832. Be so good as to name the value?—I think about 1*l.* 15*s.*

2833. Did you observe any stock on the premises?—I cannot exactly say.

2834. You do not recollect either?—Indeed I do not; I do not recollect whether I saw stock or not, but I think there was; it had the appearance of stock.

2835. Do you know who the landlord is?—I do, Lord Southwell.

Cross-examined by Mr. *Wrangham.*

2836. You say there was the appearance of stock, was there?—There was.

2837. Was there the ghost of a cow?—There seemed to be a large heap of manure, which seemed to be from cows.

2838. Whether it was taken from the road or not, you do not know?—It was not taken from the road; I know the difference between road manure and other manure.

2839. Did you see a single head of stock on the farm?—I cannot say I did; nor I cannot say I did not.

2840. You say you put the same value on this as you did on the last case?—I think, if any thing, it is a little lower; I think it is about the same value.

2841. Are the quantities the same?—I think they are not; the one is eleven acres, and the other is eleven acres and a half.

2842. And the rent in the last case was somewhat higher than in this case?—I think it was something lower in this case.

2843. *Committee.*] Have you got your notes from the inn?—No, I have not.

2844. Perhaps, when you come again, you will bring them with you?—I will.

2845. When did you last look at the book, in order to give evidence?—I have not looked at the book since Saturday morning.

2846. Did you look at it this morning?—No, I did not.

2847. Where did you see it last?—At my lodgings.

2848. Is it there now?—It is.

2849. Mr.

Mr. *T. Nesbitt.*

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2849. Mr. *Robinson.*] When did you take that abstract of it?—On Saturday morning last.

2850. That you have got with you now?—I have.

[*The Witness was ordered to withdraw.*]

Thomas Gregory, re-called.

Examined by Mr. *Robinson.*

Thomas Gregory.

2851. DID you go with Mr. Nesbitt to look at the land of Hugh Donohoe?—I did.

2852. Did you examine it with him?—I did.

2853. What do you believe the value of his land to be per acre?—I consider it very well worth 35*s.* an acre.

2854. Taking into consideration the house that is on it?—The house and appurtenances belonging to it.

2855. Taking into consideration the house and other appurtenances, what do you think a solvent tenant would give for it?—I think they would give that for it; it is a very nice holding, and very well situated.

2856. *Committee.*] I just want to ask if this land is as good as the last land?—It is, and not better.

2857. Why have you dropped 2*s.* an acre in your value?—I valued it at the very lowest; I am taking it as low as I could.

2858. I understand you to say from 35*s.* to 37*s.*?—It is worth that.

2859. Though you have not stated so?—Yes.

2860. Do you mean to say that this 11 acres is worth from 35*s.* to 37*s.* an acre?—I do.

2861. Is this the same township where you valued some at 18*s.* when valuing between tenant and tenant?—It is not the same parish at all, and not the same property; one is Lord Southwell, and the other is Mr. Macconochie.

2862. It is the same landlord?—No, not the same.

2863. You say you valued that land twenty years ago?—Yes, twenty years ago.

[*The Witness was ordered to withdraw.*]

The Committee-room was then cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Hugh Donohoe be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Mark O'Rorke; 97 on the list, and 311 on the poll.

Mr. *John V. Crawford,* re-called.

Mr. *J. V. Crawford.*

2864. Mr. *Wrangham.*] DO you produce the certificate of Mark O'Rorke?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, Mark O'Rorke, of Cormakelly, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I am a freeholder therein, arising from houses and land, of the yearly value of 10*l.* above all rent and charges payable out of the same, except only public and Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Cormakelly, in the barony of Longford, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 6th day of May in the year 1800; and that I am in the actual occupation thereof by residing thereon, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such

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person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Mark O'Rorke.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832.
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That Mark O'Rorke, of Cormakelly, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cormakelly, in the barony of Longford, in this county.
Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
20 December 1832. *John V. Crawford*, Clerk of the Peace.

Thomas Morrison, re-called.

Examined by Mr. *Wrangham*.

Thomas Morrison.

2865. DID you serve a notice on Mark O'Rorke to produce?—I did.
2866. When did you serve it?—On the 17th of February for the 28th.
2867. Mr. *Robinson.*] Where was he?—On the same townland, just on the bridge coming into it.

[*The Witness was ordered to withdraw.*]

George Gardiner, sworn.

Examined by Mr. *Wrangham*.

George Gardiner.

2168. WERE you present when Mark O'Rorke, of Cormakelly, in the barony of Longford, came up to be registered?—I was.
2869. Was any objection made to him?—There was.
2870. You are speaking of the registry of 1832?—Yes, of 1832.
2871. What was the number of acres he swore out of?—Twenty-two acres, two roods and thirty-four perches.
2872. And what was the rent?—The rent was 14*s.* per acre.

Cross-examined by Mr. *Robinson*.

2873. Was he objected to on the ground of value?—He was.
2874. This is the barony of Longford, not the barony of Granard?—I do not know the barony.

[*The Witness was ordered to withdraw.*]

James Armstrong, re-called.

Examined by Mr. *Wrangham*.

James Armstrong.

2875. DID you visit the farm of Mark O'Rorke?—I was at the farm.
2876. When?—In February last.
2877. Will you tell the Committee what sort of farm it is?—It is almost one of the worst farms I have met with; it is a long strip at the edge of a lake, and it is nearly a mile from the Longford road, and half a mile from the Leitrim road, and no road of any kind into it.
2878. That is rather disadvantageous?—Very disadvantageous, particularly in a neighbourhood like that for drawing limestone, &c.
2879. How do they carry the produce from the house to the road?—I should imagine it must be on horseback, for I could not see any sort of road for a cart.
2880. Was there any part of the farm covered with water?—Part of it I could not see, because it was covered with water at the time.
2881. Was the part so covered with water part of that farm of 22 acres?—I was informed by persons that I conversed with that it was, and I believe it was.
2882. What was it worth per acre, according to the best of your judgment?—The value I put upon it, which I considered to be a high value, was 16*s.* per acre.

2883. Did

James Armstrong.
24 April 1837.

2883. Did you see any heather there?—Yes, the very field at the rear of the house, which I conceived to be the best, after it had been out of course for a few years, had returned to heather again.

2884. And you believe that to be the best field?—I believe it was; a great deal of the farm was deep moor and unprofitable land; most unprofitable land.

Cross-examined by Mr. *Robinson.*

2885. Is it all much the same sort of land, or does it differ?—It differs; part of it is moorish ground, and there is bog and clay, and part of it is deep bog.

2886. Then I understand you to say, that there is deep bog, and there is part of it moory ground?—Yes.

2887. How much land did you examine there altogether?—I cannot say how much land there was; the boundaries were shown to me, and I valued it.

2888. Who showed you the boundaries?—Mr. Morrison.

2889. He told you what was O'Rorke's land?—He showed me the boundaries, which I believed to be the meering.

2890. Can you tell me how many acres about there seemed to be?—I really cannot say.

2891. Have you not a sufficient recollection, or have you no recollection at all about it?—It was a long strip.

2892. Have you any recollection of the strip of land you have been speaking of?—Perfectly.

2893. Can you not tell what was the quantity of acres it consisted of?—Perhaps between 10 and 18 acres.

2894. How much of it was good land, and how much bad?—There was none of it good.

2895. How much was bad land, and how much very bad land?—I suppose nearly one-third of it was moory land.

2896. *Committee.*] What do you mean by moory land?—Something of the nature of bog, where turf has been cut.

2897. Land of that description does not enable you to cut peat?—It is the most unprofitable land we have.

2898. What is the value of the other part, not of this description?—I really believe the very best land in it is not worth 17*s.* per acre.

2899. Would the worst be worth 16*s.* or 17*s.* per acre?—The value I laid upon it, including the house, barn, and every thing connected with it, was 16*s.* an acre, which I say is a high value for such a farm as this; if I valued it as between landlord and tenant, I would not lay such a value on it.

2900. You say about one-third of what you saw was of this boggy description; how much was that worth per acre which was not of that description?—I believe the very best of it was not worth more than 17*s.* an acre.

2901. And you say that the quantity was from 10 to 16 acres?—As near as I can recollect now; it was not a matter of mine; it was only to show me what were the boundaries, and which I believe to be the boundaries.

2902. Mr. *Whitesides.*] When you speak of seeing the land, you mean the land which you saw which was not covered with water?—Yes.

[*The Witness was ordered to withdraw.*]

William Stephenson, re-called.

Examined by Mr. *Wrangham.*

William Stephenson.

2903. DO you know the townland of Cormakelly?—I do, perfectly well.

2904. How long have you known it?—Upwards of 20 years I have known the townland.

2905. Do you know Mark O'Rorke's farm?—Very well.

2906. Is there a considerable portion of it covered with water?—There is in the part of the farm along the edge of a lake.

2907. What is that which is not along the edge of a lake?—The greater part of it is moory land.

2908. What is the value you put upon it, cabin and all?—I would not put a penny higher than 16*s.* an acre; it is three-quarters of a mile from either the Leitrim or the Longford road; I think so, if not more.

2909. On a field at the back of the house there is heather growing on it; is that the best part of the land?—We considered it was the very best part of it.

William Stephenson.

24 April 1837.

2910. Do you know how they carry any produce they want to carry out, or bring in any thing they want to bring in; do you know it of your own knowledge?—I saw a man, myself, drawing limestone on horseback.

2911. You saw it?—I passed it at different times.

2912. Do you know who is the voter's immediate landlord?—I believe there are two or three landlords.

2913. Mr. *Robinson.*] How do you know that?—I am intimately acquainted with the gentleman who owns it, Mr. O'Brien.

2914. How do you know he owns it?—I saw him receive the rent there at different times; there are three or four landlords.

2915. Mr. *Wrangham.*] Do you know that Mr. O'Brien, your acquaintance, who receives the rent, is a middle-man under another landlord?—I do.

2916. *Committee.*] Is Mr. O'Brien the landlord?—He is one of the landlords, and Mr. Lefroy is another landlord; there are three or four landlords.

Cross-examined by Mr. *Robinson.*

2917. Did you canvass any of Mr. O'Brien's tenants?—I did not canvass any at all for Mr. Fox, except one house beside myself.

2918. You did not ask this man O'Rorke to vote?—I did not see the man during the election.

2919. Nor before the election?—Except half a year or a year before I met him drawing limestone at Ballinalee.

2920. On that occasion did you ask him to vote?—No, I did not.

2921. You never did?—No, not for Mr. Fox.

2922. Did you ever ask any person to vote for anybody?—I asked him to vote for Mr. Lefroy about four years ago.

2923. Does he hold the same land now?—I think he does.

2924. Is it very unusual to carry limestone on horseback in mountainous counties in Ireland?—They could not bring it in any other way.

2925. How long have you known the land?—I have known it these 20 years.

2926. You knew it before you asked the person to vote for Mr. Lefroy?—I did long before that.

Re-examined by Mr. *Wrangham.*

2927. My friend has asked you whether it is unusual to carry lime on horseback; is it usual to pay a high rent for land where there is no road to it, and you are obliged to take lime on horseback?—I think not.

2928. You canvassed this voter about four years ago?—It is seven years ago now; it was the time of the Reform registry.

2929. He was then a registered voter for the county?—He was.

2930. And you told me Mr. Lefroy was his landlord?—He was.

2931. You asked him to vote for Lefroy?—Yes.

2932. Mr. *Robinson.*] Recollect yourself, and tell us when it was you canvassed him?—I think it was about four years ago, at the time of the Reform registry.

[*The Witness was ordered to withdraw.*]

William Wilson, re-called.

Examined by Mr. *Whitesides.*

William Wilson.

2933. JUST look at the Christian name of Mark O'Rorke, of Cormakelly, in the county of Longford, and tell the Committee what you valued the farm at per acre?—It is Matthew O'Rorke, four acres.

2934. Is that the O'Rorke of Cormakelly?—There was then but one O'Rorke in the townland of Cormakelly.

2935. What was the quantity?—Twenty-two acres.

2936. What was the valuation?—Fourteen shillings the highest, I should say.

Cross-examined by Mr. *Robinson.*

2937. Are you sure, at this distance of time, there was no other Mark O'Rorke at Cormakelly at that time?—I think very likely it might have been Matthew O'Rorke at that time.

2938. On what principle did you make the valuation?—The same principle as the

William Wilson.

24 April 1837.

the rest of the parish; I valued 14 acres of the second class, and eight of the third.

2939. And the first class is from 27*s.* to 30*s.*?—Yes, there is none of the first class here.

2940. How much is the second class?—That is from 14*s.* to 16*s.* and 18*s.*; it is a particularly bad farm, and therefore I say 16*s.*, which is between the two.

2941. When did you see it last?—I have not been on the land since 1831.

2942. Do you recollect it very well?—I was tithe commissioner in the neighbouring townships, and they were only classed last year.

2943. How much of the third class is there?—Eight acres.

2944. I forget what you said that was?—Seven shillings; there was nothing placed in that class except unreclaimed rocky ground, or bog with the turf out.

2945. Do I understand you that is the full value?—I do think it is.

2946. You made your tithe valuation on that principle?—We made it on the principle that the tenant ought to live by it. I should say, if the tenant lived like his own hog, he could not pay more than 17*s.* or 18*s.* an acre.

2947. Then you valued it rather low?—We valued it to give the tenant a fair interest, as I conceive I ought to value property if I valued it for my employer as a land-agent.

2948. *Committee.*] On your valuation of 14*s.* an acre, would the tenant, in your opinion, have a beneficial advantage equal to 10*l.*?—Certainly not; three or four shillings an acre would be the utmost beneficial interest he could have.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is the case against the vote.

Mr. *Thomas Nesbitt*, re-called.

Examined by Mr. *Robinson.*

Mr. *T. Nesbitt.*

2949. DID you value the land of Matthew O'Rorke, of Cormakelly?—Yes, I did.

2950. When; at the same time as the last?—The very same time.

2951. Did you make it carefully?—Yes, I did; I walked over it.

2952. Is there a house on it?—Yes, and offices; one new office built on it when I was there.

2953. Now, on your oath, what do you believe the value of it to be?—I think the value, with the house and offices, is 25*s.* an acre.

2954. About 22 acres are there?—Yes; he showed me the land, and told me it was 22 acres.

Cross-examined by Mr. *Wrangham.*

2955. You say with the house and offices?—Yes.

2956. What sort of a house and offices is it?—It is a mud-wall house, stone and mud; stone in the under part, and mud all the upper.

2957. Is it not in a wretched state?—Indeed it is not in good order.

2958. Now as to the land; did you go into the field just behind the house?—I did, and I can describe it.

2959. Did you see any thing like heather growing there?—There is a kind of blackish moss, or so; a narrow strip by a rivulet.

2960. Something like the appearance of a bog?—Yes.

2961. Is it not just like it?—It is not, because I do not think there is turf on it; it is a bad description of land; it is what I call waste, generally given in to land.

2962. Do you know any road that comes near it?—I believe they are very badly off for want of roads; I was obliged to leave the car at a distance to walk to the place.

2963. And so anybody else who had any thing to take there must leave their carriage, or car, or cart, and carry their things on horseback, or on their own backs?—Certainly.

Re-examined by Mr. *Robinson.*

2964. Are there not many very good farms similarly situated as to roads?—There are numbers.

2965. Is that peculiar to this barony, or common to many other parts of Ireland?—It is common in counties where I have been.

Mr. *T. Nesbitt.*

24 April 1837.

2966. Making all allowances for the defects my friend has stated, you still continue of opinion it is worth 25 *s.* an acre?—I do; I think he is as comfortable a tenant with regard to value as any tenant I have seen; there were eight head of cattle there, seven or eight cows, and I think there was a horse or two, I am not sure; and packs of meal, and plenty in the haggitt.

[*The Witness was ordered to withdraw.*]

The Committee-room was then cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Mark O'Rorke be struck off the poll."

Martis, 25° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

25 April 1837.

THE names of the Members were called over; all present.

Mr. *Wrangham.*] The vote we now object to is the vote of Thomas Kiernan, of Ballyduffy; 137 on the list, and 247 on the poll.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

2967. DO you produce the affidavit of the registration of Thomas Kiernan?—I do.

2968. Be so good as to hand it in.

[*The following Document was then handed in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2d & 3d Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at Elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Thomas Kiernan, of Ballyduffy, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Ballyduffy, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 18th day of November, in the year 1830; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Truly read by
Jas. Mattigen.

his
Thomas ⋈ Kiernan.
mark.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Kiernan, of Ballyduffy, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballyduffy, barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Dep^{y} Assist^{t} Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1208.—*Flood.*

James

James Ganly, sworn. *James Ganly.*

Examined by Mr. *Wrangham*. 25 April 1837.

2969. WERE you present at the registration, when Thomas Kiernan, of Ballyduffy, came up to be registered?—I was present when a man named Thomas Kiernan came up.

2970. Mr. *Thesiger*.] Was it Thomas Kiernan, of Ballyduffy?—I do not know.

2971. Mr. *Wrangham*.] Is it Thomas Kiernan, of the barony of Granard?—I do not know; my note does not present to me the residence of the man, and I have no personal recollection of the man.

2972. You were there when a Thomas Kiernan came up to be registered?—In November 1832.

2973. What did he register out of?—Twelve acres one rood, at 14*s*. 8½*d*. per acre.

2974. The whole rent is 9*l*. an acre?—Yes.

[*The Witness was ordered to withdraw.*]

Thomas Morrison, sworn.

Examined by Mr. *Wrangham*.

2975. DO you know Thomas Kiernan, of Ballyduffy, in the barony of Granard?—I do. *Thomas Morrison.*

2976. Did you serve him with a notice to produce his lease?—I did.

2977. When did you serve it?—On the 17th February for the 28th.

2978. Whom did you serve?—I served himself personally.

[*The Witness was ordered to withdraw.*]

Mr. *John V. Crawford*, re-called.

Examined by Mr. *Wrangham*.

2979. CAN you tell us whether any other person of the name of Thomas Kiernan registered at the registry of November 1822?—I must take some time to answer that question; I must look over the registry; I have now looked over the registry, and I have found one Thomas Kiernan, 1208 on the registry, and he is styled as residing at Ballyduffy. Mr. *J. V. Crawford.*

Cross-examined by Mr. *Thesiger*.

2980. How many persons of the name of Kiernan do you find on the registry?—A great number.

2981. A dozen or more?—I dare say there are.

2982. Mr. *Wrangham*.] I understand you to say, that of Thomas Kiernan there appears only one?—Only one.

2983. And his number on the registry is 1208?—Yes, I find the number appended to the certificate is 1208.

2984. Does it appear from that when he was registered?—On the 15th November 1832.

[*The Witness was ordered to withdraw.*]

Thomas Ganly, re-called.

2985. Mr. *Wrangham*.] DID you see a Thomas Kiernan at the registry of November 1832?—I did. *Thomas Ganly.*

2986. Was he objected to on the ground of value?—He was.

2987. Mr. *Thesiger*.] By whom?—By Counsellor Smylie.

2988. Was he then registered?—He was.

[*The Witness was ordered to withdraw.*]

Mr. *Thesiger* contended, that the identity of the voter was not sufficiently proved to question his qualification.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Thesiger* replied.

The Committee-room was cleared; on Counsel and Agents being called in, they were informed the Committee had come to the following resolution:—

"That Counsel proceed with the vote of Thomas Kiernan."

William Stephenson, sworn.

Examined by Mr. *Whtesides.*

William Stephenson.

25 April 1837.

2989. DID you go to value the farm of Thomas Kiernan, of Ballyduffy?—Yes, I did.

2990. Did you go with Mr. Armstrong?—Yes, I did.

2991. Now, what is the value per acre of that farm?—One pound two shillings is the outside value; we met the owner of the land, and he showed us every field he had.

Cross-examined by Mr. *Thesiger.*

2992. Is there a difference in the different parts of the land, or are they all equally good, all the acres?—Part of it below the house, towards the road, is, to a trifling extent of it, moory land.

2993. How much should you say there is of that?—I really cannot say.

2994. Was the rest pretty good land?—It is nice, clean, mountainy land.

2995. Has this Thomas Kiernan any stock on his farm?—I really cannot say.

2996. Did not you ascertain?—No, I did not; he might have, for what I know.

2997. Do you know whether he paid any fine for his interest?—I do not know a halfpenny about his interest.

2998. Mr. *Wrangham.*] Did you see any stock there?—No, I did not see any.

[*The Witness was ordered to withdraw.*]

James Armstrong, sworn.

Examined by Mr. *Whitesides.*

James Armstrong.

2999. DID you visit the farm of Thomas Kiernan, of Ballyduffy, in the barony of Granard?—I did.

3000. When?—In February last.

3001. Did you examine particularly the quality and value of the farm?—Yes, I did particularly, and he also showed me the boundaries himself.

3002. What value do you put on that farm at the highest?—Taking the house and every thing into consideration, I think 1*l.* 4*s.* as high a value as I could put upon it.

3003. Is it a mountainy or hilly land, or what is it?—It is situated in the mountainous country that I described yesterday.

Cross-examined by Mr. *Thesiger.*

3004. You went with Mr. Stephenson, did you?—Yes.

3005. Did you compare your estimates?—Why, we also differed on that land.

3006. Did you compare your estimates, is my question?—We compared our estimates as far as this, that I was above him in the valuation, and I would not alter my estimate, nor neither would he.

3007. You did institute a comparison between your valuations, and neither would give way?—Yes.

3008. Did you observe any stock on the farm?—I really do not recollect; it was early; it was between 10 and 11 o'clock, and I do not recollect seeing any to my knowledge; they might be in the house, or they might be on the ground, for I never particularly looked at men's stock.

3009. You were satisfied with taking a general view of the property, without looking particularly into all the circumstances attending it?—It was the land immediately connected with the house I thought I was to look at.

3010. Did you take notes of your different valuations?—I did not take notes of it, because I recollected it so perfectly, and I have known the neighbourhood so long.

3011. Into how many valuations have you gone on this subject?—I should suppose I have gone into between 30 and 40.

3012. And took no notes of any of them?—Of some I did.

3013. Did you ascertain whether the tenant had paid any fine?—No.

3014. You did not ascertain that?—No; nor neither do I know what rent he paid; my object was to make a fair valuation between landlord and tenant; in fact I wished to avoid——

3015. I did not ask you what you wished to avoid; you do not know whether the tenant paid any fine?—I do not.

Re-examined

Re-examined by Mr. *Wrangham.*

James Armstrong.

25 April 1837.

3016. My friend has asked you about stock; when a farm is let, do they let the stock with it, as part of the beneficial interest?—By no means.

3017. *Committee.*] Supposing the farm was at liberty, would any persons get that farm at 1*l.* 4*s.* per acre, without paying a fine on it?—I think they would; for my part, I would not attempt to value it higher; and between landlord and tenant I would not lay so much on it.

[*The Witness was ordered to withdraw.*]

Mr. *William Walker*, sworn.

Examined by Mr. *Wrangham.*

Mr. *William Walker.*

3018. DID you, in valuing land for the applotment of tithes under the Tithe Composition Act, value the farm of Thomas Kiernan of Ballyduffy?—I find the farm of a Thomas Kiernan and widow there; it is a very small thing, only 6½A.; and I find immediately after, a farm of the widow Kiernan, which is 5A. 1R. 22½P., making together 11A. 3R. 27½P.

3019. Mr. *Thesiger.*] That is the widow Kiernan?—The widow and Thomas Kiernan, taking the two together.

3020. Mr. *Wrangham.*] What is the highest value you put on that land?—

Mr. *Thesiger* objected to the question.

3021. What is the value you put on the townlands of Ballyduffy, on the townland generally?—One pound or 1*l.* 1*s.* an acre.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] This is my case.

Mr. *Peter Daly*, sworn.

Examined by Mr. *Thesiger.*

Mr. *Peter Daly.*

3022. I BELIEVE you are the owner and occupier of land to a considerable extent in the county of Longford?—I am; I hold land there.

3023. To what extent?—About 41 Irish acres I have in my own possession.

3024. Have you been accustomed to farming for many years, and have you become acquainted with the value of land?—I have no other way to live but by farming.

3025. Do you know the land near Ballyduffy?—I do.

3026. Do you know the land which is occupied by Thomas Kiernan?—I do.

3027. Is that land of a good or bad quality?—It is of a good quality, and is very fine land for growing flax, and for growing oats and potatoes; and flax is the most valuable crop we have.

3028. What do you consider would be a fair rent for that land?—I think from 1*l.* 17*s.* to 2*l.* would be about a fair rent for it.

3029. Suppose you wanted a farm of that kind yourself, would you be willing to give that rent for it?—If I wanted to have a farm of that kind, I would give 1*l.* 17*s.* for it; I am getting 2*l.* 8*s.* for worse land than that, on the same estate; and I was paid on the 27th March for what came due on the 25th.

Cross-examined by Mr. *Wrangham.*

3030. You say you are getting this; pray are you a landlord; I thought you said you held land?—I do hold land.

3031. How do you get rent; people who hold land generally pay rent?—I get rent, and pay rent.

3032. You hold land, but you do not occupy?—I cannot understand you; I hold and occupy land, and I have some land set; I do not hold any of the land that is on this estate; all the land I have on that estate I have set.

3033. Do I understand you, all the land you have is about 40 acres?—No; I hold 41 acres in my own possession; I have a small farm on the same estate as this which I have set.

3034. What is the number of acres of that farm?—About nine acres only on that estate.

3035. What is the name of the tenant?—A man of the name of M'Gavan.

3036. How far do you live from this Ballyduffy?—I suppose about five or six Irish miles.

Mr. *Peter Daly.*

25 April 1837.

3037. Is the land you let, the farm you spoke of, any distance from Ballyduffy?—It is.

3038. How far?—It is, at least, four miles of it; it is on the same estate, and is a worse quality of land.

3039. How far is it from the town of Granard, what you have left?—I suppose about three Irish miles, or three and a half.

3040. Is this Ballyduffy four miles further off?—The land I have set is not between Granard and Ballyduffy in a straight line.

3041. How far is Ballyduffy from the town of Granard?—I dare say it is eight miles; seven at least.

3042. *Committee.*] You say you have let land in the same townland for 2*l.* 8*s.* an acre?—No, it is not in the same townland; it is on the same estate.

3043. And of an inferior description to that land held by Thomas Kiernan?—It is.

3044. And that your rent is regularly paid?—It is well paid, it cannot be better paid; I was paid the last rent that came due on the 25th March on the 27th.

3045. When you receive rent, do you give a receipt for it?—I do.

3046. Have you got the receipt in your pocket?—No; I give the receipt.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Thomas Kiernan be struck off the poll."

Mr. *Wrangham.*] The next vote is the vote of Matthew Lee; 330 on the poll, and 145 on the list of objections.

Mr. *John V. Crawford,* sworn.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

3047. DO you produce the affidavit of Matthew Lee?—I do.

[*The following Document was then put in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Matthew Lee, of Leslea, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Leslea, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 2d day of January in the year 1832; and that I am in the actual occupation thereof, by tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Matthew Lee.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.

J. Doherty, Deputy Assistant Barrister.

ENTRY

ENTRY of CERTIFICATE of REGISTRY. 25 April 1837.

County of Longford.

THIS is to certify, That Matthew Lee, of Leslea, in this county, farmer, was this day duly registered before me, as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Leslea, in the barony of Granard, in this county.
Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 963.—*Flood.*

James Ganly, re-called.

Examined by Mr. *Wrangham.*

James Ganly.

3048. DO you remember Matthew Lee coming up to be registered?—I recollect a man of the name of Matthew Lee, of Leslea.
3049. Was he objected to on the ground of value?—He was.
3050. What number of acres did he register out of?—Sixteen acres, two roods, and twenty perches.
3051. What is the rent?—Fifteen pounds.
3052. What registry was this at?—One thousand eight hundred and thirty-two.

Cross-examined by Mr. *Austin.*

3053. Do you know Matthew Lee himself?—No.
3054. You had never seen him before?—No, nor since, to my knowledge.
3055. You never saw him before 1832, and you have not seen him since 1832?—No.
3056. Then whether he voted at the election or not, you know nothing about?—Not a penny.
3057. Is this your own handwriting?—It is.
3058. Do you know any other Lee in the county?—I do, but I know not whether they are freeholders or not.

[*The Witness was then ordered to withdraw.*]

Mr. *Wrangham.*] Here is the entry in the poll-book; "Matthew Lea, Leslea, in the barony of Granard, voted for Mr. White."

Thomas Morrison, re-called.

Examined by Mr. *Wrangham.*

Thomas Morrison.

3059. DID you serve a notice to produce on Matthew Lea, of Leslea?—I served it upon his wife.
3060. When and where?—In her house.
3061. When?—Upon the 16th February for the 28th.

Cross-examined by Mr. *Austin.*

3062. Do you know Matthew Lee?—Yes, I do.
3063. You know Lee personally?—I do.
3064. Where was he at the time you served the notice?—His wife told me he was out with the county surveyor.
3065. You do know Lee?—I do.

[*The Witness was ordered to withdraw.*]

Mr. *William Walker*, re-called.

Examined by Mr. *Whitesides.*

Mr. *William Walker.*

3066. WILL you be good enough to look for Matthew Lee, of Leslea, in the barony of Granard, and county of Longford?—I have it here.
3067. Will you tell the Committee what is the highest rent that a solvent and responsible tenant can pay for this farm of Matthew Lee?—I should think 1*l.* an acre a very high value.
3068. That is including every thing?—Yes, including every thing.

Mr. *William Walker.* 25 April 1837.

3069. Mr. *Robinson.*] What is that memorandum?--That is a memorandum taken by me four years ago when valuing, to come before a former Committee; I went on last February, I think; at all events, since the middle of January; and I looked over the thing again, and I see no reason to change my former estimate of its value.

3070. Whose writing is this?—My own.

3071. You have put down Michael Lee, said to have 16 or 17 acres?—Certainly; I know nothing about what he has; but I should think, from the appearance of his farm, he has something about that.

3072. Have you any recollection of his farm, excepting from looking at this book?—I was on it this last six or eight years.

3073. Do you know it is the same farm as is mentioned here?—I have no doubt of it.

3074. Because it is the same name; is that all?—Because I was informed so by the neighbours, and I know the farm perfectly well.

3075. This does not say any thing about the value?—I think it does.

3076. Let me see it; will you be kind enough to show me?—Here it is—[*pointing it out.*]—"Value 1*l.* per acre;" and if you will read the rest—

3077. "Value 1*l.*; and it would not be valued so high, but lies on the side of the high road, within about, I think, two miles of the limestone quarry"?—The limestone quarry is on the verge of Ballinalee.

3078. From looking at that, you would think that is the same farm of which you are now speaking?—I have no doubt of it.

3079. *Committee.*] You did not take this valuation then in your tithe?—I valued it under the Tithe Composition Act several years before.

3080. Have you any account of that?—My account does not exactly bear on it, because Matthew Lee at that time had not the same quantity of ground he has now.

3081. You went purposely on this occasion to value it for the last Election Committee?—Yes, and I repeated it for the present.

3082. Mr. *Robinson.*] When did you say it was taken?—This was taken in the early part of 1832, and I went in the course of the last two months and reviewed it, and I saw no reason to change my opinion.

[*The Witness was ordered to withdraw.*]

Mr. *William Lloyd Galbraith*, sworn.

Examined by Mr. *Wrangham.*

Mr. *W. L. Galbraith.*

3083. I BELIEVE you have estates in the county of Longford?—I have.

3084. You are a magistrate for that county?—I am.

3085. Did you go on the land of Matthew Lee, of Leslea, with Captain Walker?—I did.

3086. And was any one else with you?—A man of the name of William Morrison, who served the notice.

3087. Are you acquainted with the value of land?—I am.

3088. The amount it would set at, as between landlord and tenant?—Yes.

3089. What is the highest rent which you think a solvent and responsible tenant could fairly afford to give per acre for the land of Matthew Lee at Leslea?—I think 1*l.* an acre would be the highest rent a man could pay for it.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* stated he should call no evidence on this vote.

The Committee then came to the following resolution:—

"That the vote of Matthew Lee be struck off the poll."

Mr. *Wrangham.*] The next vote is John Sullivan; 348 on the poll, 179 on the list.

Mr. *John V. Crawford*, re-called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

3090. DO you produce the affidavit of registry of John Sullivan?—I do.

[*The*

[*The following Document was then put in:*] 25 April 1837.

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, John Sullivan, of Aughakilmore, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Aughakilmore, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of June in the year 1832; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Sullivan.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.

J. Doherty,
Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That John Sullivan, of Aughakilmore, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Aughakilmore, in the barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.

John V. Crawford,
Clerk of the Peace.

Certificate, No. 1251.—*Flood.*

Mr. *Arthur Achmuty Griffith,* sworn.

Examined by Mr. *Whitesides.*

Mr. *A. A. Griffith.*

3091. DID you act in the capacity of attorney and solicitor at the registry session for Longford of 1832?—I did.

3092. Is that a memorandum you have there?—Yes.

3093. Can you tell the Committee, having been present at the registration, whether John Sullivan, of Aughakilmore, came up to be registered?—He did.

3094. Can you tell me whether he was objected to?—He was; I objected to him myself.

3095. On what ground?—Undervalue.

3096. You were acting there?—Yes; I was acting there as solicitor; I was opposing the registry of fictitious freeholders.

3097. You were acting for whom?—For Lady Ross and various others.

3098. Mr. *Robinson.*] Were you acting for Lady Ross?—Yes, and others.

3099. Whom else were you acting for?—A variety of persons that were then interested in opposing the registry of fictitious freeholders.

3100. Who authorized you?—Mr. Robinson.

3101. Who paid you for attending; I am speaking of the vote of this man Sullivan?—I think Mr. Robinson paid me.

3102. For the vote of John Sullivan?—For the vote of a number of persons, not particularly that one.

Mr. *A. A. Griffith.*

25 April 1837.

3103. Did not Lady Ross pay you?—No.

3104. Did not Lady Ross pay you for attending to oppose the registration generally at that time?—I received a sum of money through her; it was not for herself.

3105. I mean for opposing votes at the registration?—Yes.

3106. Was any bill sent in?—No.

3107. When were you paid by Lady Ross?—I cannot exactly say; it was after the registry.

3108. Did you make objections generally, or had you instructions to oppose particular parties, or did you make general objections when voters came up to be registered?—I did not oppose those who had proper freeholds.

3109. Mr. *Whitesides.*] Are you a voter yourself for this county?—I am; and I would have opposed them myself.

3110. Mr. *Robinson.*] Let me look at that memorandum?—This memorandum is in my writing; a clerk whom I employed to take the notes happened to go out of court, and I kept them in his absence.

3111. Is this memorandum in your handwriting?—It is.

3112. When was it made?—It was made during the time the man was under examination.

3113. By yourself?—Yes.

3114. On that paper?—Yes.

3115. Mr. *Whitesides.*] Tell the Committee what that memorandum is; tell me the number of acres and the rent?—John Sullivan, of Aughakilmore.

3116. Mr. *Robinson.*] Is that in the barony of Granard?—It is.

3117. Mr. *Whitesides.*] What did he swear he had?—He swore to 11 acres of ground, and that he paid 15*l.* a year for it.

3118. Mr. *Robinson.*] Were you on the registry of 1832?—I was.

3119. Is the rest of that book in your handwriting, or your clerk's?—It is part in mine, and the rest in my clerk's.

3120. Does it all relate to the registration of 1832?—I do not know; it is carried on since that time, I believe, but I have not looked at it.

[*The Witness was ordered to withdraw.*]

Mr. *William Walker*, sworn.

Examined by Mr. *Wrangham.*

Mr. *William Walker.*

3121. DID you go to view and value the farm of John Sullivan, at Aughakilmore?—I did.

3122. Did Mr. Galbraith accompany you?—He did.

3123. When was that?—I viewed it in the spring of 1832; and again this spring.

3124. What is the highest rent per acre which a solvent and responsible tenant could pay and afford to give?—One pound seventeen shillings and sixpence is a very high rent; I valued it not as the extrinsic value of the land, but from the man's improvements; this was the only thing like a farm which I met with on that side of the country; my first valuation, four years ago, was 1*l.* 15*s.*; and from the improvements I saw on it, I raised it 2*s.* 6*d.* an acre.

Cross-examined by Mr. *Robinson.*

3125. You made a valuation previous to the last election?—Yes, to the last petition.

3126. I believe you gave evidence, touching this man's vote, on the last petition?—I cannot say positively whether I did or not.

3127. Can you say whether you believe it or not?—Upon my oath I cannot form a recollection of it.

3128. Upon your oath, you cannot recollect whether John Sullivan's vote was opposed or not?—I gave evidence on several occasions; perhaps John Sullivan's vote was one.

3129. Do you not recollect John Sullivan's vote being opposed before a Committee of the House of Commons?—I do not.

3130. Do you mean to say you do not recollect whether John Sullivan's vote was or not contested?—I do most positively; very likely you may have documents in the House to prove whether it was so or not.

3131. Was

William Walker.
25 April 1837.

3131. Was that one of the votes you came up to oppose on the last election?—Certainly it was.

3132. Was the vote of John Sullivan allowed by the former Committee?—If I could recollect one, I could recollect the other.

3133. *Committee.*] You were employed as an election agent to value these lands?—Not as an election agent, but as a friend; I went out for the parties.

3134. You went out for the party who were opposing Mr. Luke White?—Exactly.

3135. It was not in your capacity as tithe valuer?—No, not of this particular land; I never valued this under the Tithe Act.

3136. Have you been so employed before on a previous occasion, as a friend of the parties, to take the value of the land, for the purpose of questioning the votes?—Yes, certainly.

3137. Mr. *Robinson.*] How much good land is there of this?—There is no entirely good land in it; but it is hilly land improved; it was hilly, moory soil; it is in that part of the country where the good and bad lands meet; it is a link between the bad hilly soil and the rich ground of Granard.

3138. Would this come within the description of the first or second class land that you speak of?—That would be according to the parish it is in, and not having viewed the parish, I cannot say; if it was in the parish of Granard, it would not come any thing near the first class of land.

3139. Is not some of the best land in the county thereabouts?—Some of the finest, perhaps some of the best, in the kingdom.

3140. Mr. *Wrangham.*] In the town of Granard you mean?—Yes, and the village of Bunlary.

3141. Mr. *Robinson.*] What is the proportion of English to Irish acres; how many English acres would 11 Irish acres be?—I think 17 or 18. I am not swearing to it positively; it would require calculation.

3142. You are speaking on your valuation of so much per Irish acre?—Yes.

[*The Witness was ordered to withdraw.*]

William Lloyd Galbraith, re-called.

Examined by Mr. *Whitesides.*

W. L. Galbraith.

3143. DID you visit the farm of one John Sullivan, of Aughakilmore?—I did.

3144. Did you examine that farm?—I did.

3145. Are you acquainted with that part of the country, and the value of land there?—I am.

3146. Can you state to the Committee what the highest rent a solvent tenant could pay for that land to his landlord?—I think 35 *s.* an acre would be a fair rent for it.

3147. Is the land about Granard of a very good quality?—Pretty good.

3148. How far is this place from Granard?—I suppose between five and six miles; I should say about five.

3149. Is this land of Sullivan's hilly?—It is at the foot of the mountain, what we call the mountain, in our neighbourhood; any thing in our part below Sullivan's we call mountain.

3150. It is not land of the same description as the land above Sullivan's?—No, it is not.

Cross-examined by Mr. *Robinson.*

3151. Did you also value previously to the last contested election?—I did.

3152. Did you value this particular farm?—I did.

3153. Did you come here to give evidence?—I did.

3154. Did you give evidence here about the vote of this man?—I did.

3155. The vote was afterwards allowed, I believe?—I am not certain.

3156. I do not ask you whether you are certain; do you believe it?—I do not know.

3157. Who employed you on that occasion?—I went for the purpose of giving evidence before the Committee to try the case.

3158. Who employed you then?—I went on the part of the petitioners.

3159. Did you give the same evidence about the value as you now give?—I cannot exactly say; I do not recollect.

3160. You have got no note of what you said?—No.

W. L. Galbraith.
25 April 1837.

3161. Mr. *Whitesides.*] If this person was retained on the poll, could you state the to Committee on what ground he was retained on the poll?—I cannot.

3162. Has this farm been improved?—It has.

3163. Mr. *Robinson.*] Was not your evidence confined to value on the former occasion?—I am not certain.

3164. Do you recollect any question except value?—I do not.

3165. You did not come here to give general evidence about the election; you came up as to value on the former occasion?—Yes.

3166. You came up for value only?—Yes.

3167. You have no doubt in answering the question, it was for value?—It was certainly.

[*The Witness was ordered to withdraw.*]

James Armstrong, sworn.

Examined by Mr. *Whitesides.*

James Armstrong.

3168. DID you inspect the farm of John Sullivan?—I did.

3169. Who went with you?—Captain Walker, Mr. Galbraith and Mr. Stephenson.

3170. Did you examine that farm?—I did.

3171. State to the Committee what rent, according to the best of your judgment, a solvent tenant could pay for that farm by the acre; the highest value?—The very highest rent, taking every thing into consideration connected with it, is 37 *s.* 6 *d.* you could possibly lay on it.

3172. *Committee.*] On that farm is there more than one house?—There is a dwelling-house, and I think a small office attached, and one opposite.

Cross-examined by Mr. *Robinson.*

3173. Would you not call it a highly improved farm?—One of the highest I have met with, in my view.

3174. In good order?—Yes.

3175. Mr. *Whitesides.*] Is that the reason you put that value on it?—I would not lay so high a value on it, if it were not for its high state of cultivation.

3176. Mr. *Robinson.*] If it were not so good, you would not value it so high?—No; the land itself is not naturally good.

3177. By the *Committee.*] Did you agree with this value of 37 *s.* 6 *d.* with Mr. Walker?—I understood so.

3178. You are aware that this person's vote was to be in discussion here to-day; did you know that?—Yes, I heard it a few minutes back.

3179. Did you speak to Mr. Walker on the subject of the value of this farm?—We have spoken frequently on the subject.

3180. I mean this morning?—Yes, this morning; with respect to the value, so far as this, that he and I then agreed.

3181. You agreed, if you were asked the question, you would say 37 *s.* 6 *d.*?—What we valued the land at, others did not agree with us in that.

3182. Was there any conversation between you and Mr. Walker as to the way in which you should answer the question, or merely conversation as to the value of the land?—I pledge myself, solemnly, nothing of the kind.

3183. Did you agree before as to the valuation?—We did.

Mr. *Whitesides*] That is the case against the vote.

Peter Daly, sworn.

Examined by Mr. *Robinson.*

Peter Daly.

3184. DID you go and value Sullivan's land?—I did.

3185. When?—I think it was the first week in February; I have often been on Sullivan's land.

3186. Did you examine it carefully?—I did, as carefully as I would if I were taking a farm.

3187. You told us before, you are accustomed to value land?—Yes.

3188. What should you say is the value of it per acre?—I should like to know the length of time before I answer that question.

3189. Have you been in the habit of valuing land?—No.

3190. How

Peter Daly.

25 April 1837.

3190. How much land do you hold in your possession?—Under 41 acres.

3191. Mr. *Robinson.*] Are you acquainted with the value of land?—I think I am.

3192. What would you say is the fair rent of it for a tenant to give?—For how long? It would make a material difference in the value in taking a farm for one, or seven, or twenty-one years.

3193. Give us each, supposing it was 21 years?—I think two guineas would be a fair price for the land without the house.

3194. Taking the land as it is now, with such buildings as are on it, without giving a separate value for the buildings?—I think between two guineas and 50*s.*, including the house, would be a fair price.

3195. Tell us what it would be, taking it from year to year?—The land is in an extraordinary state; there is very little land in the country in the state in which this is; if I were to take the land for one, two or three years, I would not hesitate to give 3*l.* an acre for it; I paid 45*l.* for the interest in a farm of seven acres at the side of this nine months ago.

3196. What rent were you to pay?—A pound an acre, and two acres of this is worth at least three of that.

3197. You paid 45*l.* for the interest, how long?—I think it was 21 years and a life; I am not quite sure as to that, but it is at least that.

3198. For how much land did you give that 45*l.*?—Seven acres.

Cross-examined by Mr. *Wrangham.*

3199. I see your mode of valuing land is this, the shorter the term the tenant has it for, the more valuable it is annually?—That is according to the state it is in.

3200. Why is that?—Because, if it is in a good state, of course it is worth more.

3201. Why is it worth more for a short time than a long time?—It will be exhausted.

3202. That is what you call a mode of taking a fair rent which a solvent and responsible tenant could afford to give?—Yes.

3203. Putting the value which a man would give for a year or two in order to exhaust the land?—Yes.

3204. That is what you call a solvent and responsible tenant?—Yes, a man that would pay the value.

3205. Did any body go with you to value the land?—I would rather go by myself than with any man, because I would not like to depend on any man's judgment.

3206. Nor would you be assisted by any man's judgment?—I would, if I thought it better than my own.

3207. Your judgment is so good, that you would not take advice from any man?—I would if I had occasion, but I think I could value a farm.

3208. Your experience has been great in these matters?—Yes, a little.

3209. Did you ever value a single farm between landlord and tenant for the purpose of setting it?—Never.

3210. *Committee.*] What would be the value of this land for a term of seven years, what per acre; what would you give for it yourself?—I would give less for it than I would for three years.

3211. What would you give for it for seven years?—I would give 2*l.* 15*s.*

3212. You are giving a value for the advantage of the holding only?—Just so.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed the Committee had come to the resolution, "That the vote of John Sullivan is a good vote.

Mr. *Wrangham.*] The next vote is Thomas Flannagan; 47 on the poll, 17 on the list of objections.

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

3213. DO you produce the certificate of registry of Thomas Flannagan?—I do.

25 April 1837.

[*The following Document was then handed in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford appointed for that purpose; I, Thomas Flannagan, of Foss Longford, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Foss Longford and barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 28th day of January in the year 1819; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Truly read by me,
Js. ——

his
Thomas ⋈ *Flannagan.*
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832.

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Flannagan, of Foss Longford, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Foss Longford and barony of Rathcline, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 879.—*Flood.*

Mr. *George Gardiner,* re-called.

Examined by Mr. *Wrangham.*

Mr. *G. Gardiner.*

3214. DID a man of the name of Thomas Flannagan come up to be registered?—He did.

3215. When?—At the Reform registry of 1832.

3216. What number of acres did he claim to be registered for?—Twelve acres.

3217. What rent?—Eighteen pounds eighteen shillings, 1 *l.* 11 *s.* 6 *d.* per acre.

3218. Was he objected to on the ground of under value?—He was, and evidence for and against was examined.

Cross-examined by Mr. *Robinson.*

3219. Was this memorandum made by you at the time?—It was.

3220. This is your handwriting?—It is.

3221. Was there any other Thomas Flannagan claimed but this?—No, sir.

3222. Was there much discussion on the vote?—There was.

3223. Witnesses on both sides?—There were.

[*The Witness was ordered to withdraw.*]

John Corry, sworn.

Examined by Mr. *Whitesides.*

John Corry.

3224. WHERE do you live?—Glanmore.

3225. In the county of Longford?—Yes.

3226. Did you, on the part of any persons, serve a notice to produce a lease upon Thomas Flannagan of Rathcline?—I did.

3227. When

3227. When did you serve the notice?—On the 15th February.
3228. How did you serve it?—Personally.
3229. To produce his lease on the 28th?—Yes.
3230. At the same time you valued the farm?—I did.
3231. Are you a farmer yourself?—I am.
3232. Do you hold land in the county?—I do.

Cross-examined by Mr. *Robinson.*

3233. Have you a copy of the notice to produce with you?—I have not.
3234. Mr. *Whitesides.*] Was it a printed notice?—Yes.
3235. Mr. *Robinson.*] Where did you get it from?—From Mr. Courtenay.
3236. When did you serve it?—On the 15th February.
3237. You gave it to the man himself?—I did.

Re-examined by Mr. *Whitesides.*

3238. Do you know the barony of Rathcline?—I do.
3239. Do you know the value of land in the parish?—I do.
3240. Will you tell the Committee, according to your judgment, what is the highest rent that a solvent and responsible tenant could afford to give for the farm held by Thomas Flannagan?—There is part of the farm of a very poor description; part of it is of a sandy gravelly nature.
3241. What value do you put on it?—I think 1*l.* 7*s.* is a very high value.
3242. Is that the rent you think a solvent tenant could afford to pay for it?—I do not think he could pay more for it, if he was a solvent tenant.
3243. Did you see Flannagan himself there?—I did.
3244. Mr. *Robinson.*] Did you go over this land with any care?—Very carefully I did.
3245. When was it; on the 15th February?—Yes.
3246. And you mean to say that a solvent tenant could only afford to pay 1*l.* 7*s.* per acre for it?—I do; according to my judgment, it is the full value of it.
3247. Who employed you to go to serve the notice?—Mr. Courtenay.
3248. Had you instructions at the same time to value?—I had.
3249. Did you value the land?—I did.
3250. Who was with you?—Mr. Wilson was with me.
3251. How long might you be about it altogether?—From half an hour to three-quarters of an hour; not more.
3252. You say it is worth 1*l.* 7*s.* an acre; do you carry it in your memory, or have you a memorandum of it?—I have no memorandum of it here.
3253. Do you mean to say you carry in your recollection the value per acre of the different farms you valued?—I know this farm very well.
3254. Do you carry in your recollection the value of each man's farm per acre?—I do of the different farms I am in the habit of knowing for years.
3255. How many others did you value?—A great many others.
3256. Did you value those for the purpose of giving evidence about the value to-day?—Every one I valued for the purpose of giving evidence.
3257. Do you carry in your recollection the value of each man's farm?—Not each man's farm, but those I am in the habit of knowing many years.
3258. You took a memorandum, I suppose?—I did.
3259. Did you take a memorandum as to this?—Yes.
3260. Where is the memorandum?—I have it not.
3261. Where is it?—In this city.
3262. When might you have last had the advantage of seeing it?—I saw it yesterday; I have seen it many days.
3263. Have you brought any of these memorandums with you?—No, I have not.
3264. Not any one?—Not any one.
3265. Have you brought any extracts or copies of it?—Not at all.
3266. Have you a copy of the notice you served on Flannagan?—No.
3267. That you have not brought with you?—I have brought no notice with me.
3268. Were you told to bring any of these memorandums with you?—I was not.
3269. Were you told to look at them, this memorandum and notes; you spoke as to the value; were you told to bring them?—No, I was not.

John Corry.

25 April 1837.

3270. Were you told not to bring them?—No.

3271. Why did you not bring them?—I did not think they were necessary; I was fully satisfied with respect to the farm.

3272. Have you looked at the memorandum respecting this man's farm?—Frequently.

3273. And you looked at it yesterday?—I did, and many other days.

3274. Will you tell us what that memorandum contains about Flannagan's land?—It contains that it was light sandy land, and part of it running down to a lake.

3275. And was there any thing said there as to the rent or value?—There was.

3276. And what was that?—One pound, seven shillings and sixpence.

3277. Perhaps you would bring that with you the next time you come?—Yes, I will.

3278. How long have you known Flannagan?—I have known him this great many years.

3279. Has he lived on this farm that time?—He has.

3280. Lived all that time there?—Yes.

3281. By Mr. *Whitesides.*] How many years do you know this man's farm?—I have known it 15 or 20 years.

3282. *Committee.*] Is this person tolerably well off?—I cannot say whether he is or not.

[*The Witness was ordered to withdraw.*]

Robert Wilson, sworn.

Examined by Mr. *Thesiger.*

Robert Wilson.

3283. I THINK you have been in this Committee-room before during this discussion?—I will tell the truth, if you will allow me.

3284. *Committee.*] Answer the question whether you was or was not?—I happened to come in by chance.

3285. When was it you came in by chance?—The business was going on three or four days when I came to town; I did not know the rules of the place; I walked down the Hall, and that door happened to be open; I just happened to come in; I walked in, and then I walked out.

3286. Mr. *Wrangham.*] There was no witness examined when you was here?—There was not; there was a Counsel speaking at the time.

3287. Did you carry away with you any portion of the learned Counsel's argument?—As far as I could understand it, he was speaking respecting the registry of Longford.

3288. You heard no evidence?—Not the least.

3289. And you was in the room only a minute or two?—I was, and withdrew again, and as I withdrew I met two of the opposite witnesses, and I mentioned to them there was a very clever Counsel speaking at the time.

Mr. *Robinson* then submitted, that in accordance with the resolution of the Committee, this witness could not be examined.

Mr. *Wrangham* was heard in support of his right to examine the witness.

Mr. *Robinson* replied.

The *Committee* were of opinion the witness could not be examined.

Mr. *Wrangham.*] This is our case against the vote.

Mr. *Thomas Bracken*, sworn.

Examined by Mr. *Robinson.*

Mr. T. Bracken.

3290. HAVE you land in the county of Longford?—Yes.

3291. Are you acquainted with the value of land?—Yes.

3292. Have you been accustomed to value land?—Yes.

3293. Did you examine the land of Thomas Flannagan?—Yes, I did.

3294. When?—On the 1st day of April.

3295. Now, what do you say it is worth per acre?—From the state of the farm, it is worth 2*l.* 5*s.* an acre; the reason why I valued it so high is, there are about three acres and a half of commonage and free land that he has in his lease.

3296. You

Mr. *T. Bracker.*
25 April 1837.

3296. You have seen the land occupied by Thomas Flannagan?—Yes, I have.
3297. And you think it is worth 2*l.* 5*s.* an acre?—Yes; there is a worse quality of land, at a quarter of a mile from it, set at 2*l.* 5*s.*
3298. Was there a house on it?—Yes.
3299. What kind of house was that?—It was a tolerably good house.
3300. Did the family live there?—Yes.
3301. Any offices?—Yes; there was a small barn and a stable, and a small cow-house.
3302. Was he also in the occupation of some commonage land?—

Mr. *Wrangham* objected to the question.

Mr. *Robinson* was heard in support of his right to put the question.

Mr. *Wrangham* replied.

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the evidence as to any alleged right of commonage ought to be shown by the production of the lease."

Mr. *Thomas Bracken*, re-called.

Examined by Mr. *Robinson.*

3303. Did you ever see any rent paid for this farm?—No.
3304. Have you seen the lease?—I have.
3305. Did you take any extract from it?—I did.
3306. Have you any extract from it as to the rent?—

Mr. *Wrangham* objected to this question.

Mr. *Robinson* was heard in answer to the objection.

Mr. *Wrangham* replied.

The *Committee* were of opinion the question could not be put.

3307. Mr. *Robinson.*] Do you know the rent?—Not except from what I took from the lease.

Cross-examined by Mr. *Wrangham.*

3308. You value it at 2*l.* 5*s.* an acre; there are 12 acres, are there?—Yes.
3309. Was you the gentleman who was called early in this proceeding?—Yes; I was called on the first two or three days.
3310. The son-in-law of Mrs. Bridget M'Cormick?—Yes, I am.
3311. *Committee.*] Do you include in your 2*l.* 5*s.* any thing for that common land that you supposed was added to it?—No; I think it would bring a rent of 2*l.* 5*s.* without the common land.
3312. Then you think the common land is of no value at all?—I do; I think it is of value; I think it is worth 4*l.* besides.
3313. And the land worth 2*l.* 5*s.* without it?—Yes.
3314. How many acres of common are there?—I think about six.
3315. If there was no common, at how much should you value the land per acre?—Two pounds five shillings.

[*The Witness was ordered to withdraw.*]

The Committee then came to the following resolution:—

"That the vote of Thomas Flannagan be struck off the poll."

Mr. *Wrangham.*] The next vote is the vote of Patrick Magrath; No. 60 on the poll, 230 on the list of objections.

Mr. *John V. Crawford*, re-called.

Mr. *J. V. Crawford.*

3316. Mr. *Whitesides.*] DO you produce the affidavit of Patrick Magrath?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of his present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the

25 April 1837.

county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Patrick Magrath, of Lisfarrell, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Lisfarrell, and barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 26th day of March in the year 1829; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God. *Pat^k Magrath.*

Sworn and subscribed before me, in open Court,
this 22d day of October 1832. *J. F. Fosbery,*
Deputy Assistant Barrister.

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That Patrick Magrath, of Lisfarrell, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Lisfarrell, and barony of Ardagh, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
Certificate No. 571. *John V. Crawford,* Clerk of the Peace.

Mr. *George Gardiner*, sworn.

Examined by Mr. *Wrangham.*

Mr. *G. Gardiner.*

3317. WERE you present at the session of the Reform registry, when Patrick Magrath came up to be registered?—I was.

3318. Was he objected to?—He was.

3319. On the ground of value?—He was.

3320. What did he swear out of?—From a lease containing nine acres, two roods, six poles.

3321. At what rent?—Twelve pounds ten shillings yearly rent.

3322. That is 1*l.* 7*s.* 9*d.* an acre?—Not so much; only 1*l.* 6*s.* 6*d.*

3323. The amount of rent was 12*l.* 10*s.*?—Yes.

Cross-examined by Mr. *Robinson.*

3324. Was there a discussion on each side as to value?—There was.

3325. And evidence?—Evidence in support of the claim.

3326. Do you know the man personally?—I could not identify him.

3327. Are there any other Magraths there?—There are other persons of the name of Magrath in the town; I know men of the name of John and Hugh Magrath.

3328. Mr. *Wrangham.*] Is there a Patrick Magrath, of Lisfarrell?—Yes; I saw the man vote.

3329. This was Patrick Magrath, of Lisfarrell?—

3330. Mr. *Robinson.*] Do you know Lisfarrell?—I do.

3331. Is that in the barony of Ardagh?—I do not know.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, sworn.

Examined by Mr. *Whitesides.*

Andrew Johnstone.

3332. WERE you asked to serve notice, and did you serve it on one Patrick Magrath, in the barony of Ardagh, to produce his lease?—I served it on his wife, at his house.

3333. What day of the month was it; do you remember when you served it?—It was the 16th or 17th of February.

3334. Was there any one with you on that occasion?—There was.

3335. Who was that?—Mr. Richardson.

3336. Did

Andrew Johnstone.
25 April 1837.

3336. Did you view the farm on that occasion?—We did.
3337. Did you know that farm many years?—I know it as long as I know my own land; it is just adjoining it.
3338. Will you tell the Committee, from your knowledge of it, what rent a solvent tenant could afford to pay for it?—Thirty-five shillings would be the outside value.
3339. Do you think a man could pay more for it?—I think not.

Cross-examined by Mr. *Robinson.*

3340. Who was with you?—Mr. Richardson.
3341. Did you value it?—I did.
3342. How long were you doing it?—I suppose from a quarter to half an hour; I cannot say the exact time; the farm is but small, it would not take long to go over it.
3343. Are you the gentleman who gave evidence about serving the notice the first day?—Yes.
3344. Was it one of the long notices you served?—Yes.
3345. What day did the notice tell the man to appear?—On the 28th February.
3346. How long has this man lived on the premises you speak of?—I think he has it in his possession; it was given to him by his father four or five years ago.
3347. His father lived there before him, did he not?—He did.
3348. *Committee.*] Is your land adjoining it?—The land I reside on.
3349. Is there any of that land you pay rent for?—Yes.
3350. How much do you pay an acre?—I pay for the land I live on, 17 Irish shillings an acre.
3351. Is that an old or a new holding?—Mine is an old holding.
3352. Mr. *Robinson.*] Those old holdings are at lower rents, I believe?—Some of them are.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson*, sworn.

Examined by Mr. *Wrangham.*

Mr. *J. R. Richardson.*

3353. DID you go with Mr. Johnstone to value the farm of Patrick Magrath?—I did.
3354. What is the highest value you could put on it per acre, as the rent which a solvent and responsible tenant could fairly afford to give for it?—Thirty-two shillings.
3355. That, you think, is an extreme rent?—Yes, for a solvent tenant.
3356. I am not asking as to those tenants who pay a high rent by the process of exhaustion, but a fair farming tenant?—I do not include that class of tenants.

Cross-examined by Mr. *Robinson.*

3357. Have you been accustomed to value land?—No, except so far as letting my own land and my own observation.
3358. Did you ever fix a value on land, except for election purposes?—Not except as to letting my own land.
3359. How long were you about Patrick Magrath's premises?—I dare say an hour or less; not quite an hour.
3360. Was it near an hour?—We walked over two farms adjoining at the same time, and I dare say we were there an hour.
3361. Did you go with Johnstone?—I did.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is the case against that vote.

Denis O'Connor, sworn.

Examined by Mr. *Robinson.*

Denis O'Connor.

3362. ARE you a land-owner in the county of Longford?—I am.
3363. Are you acquainted with the value of land?—I consider I am.
3364. Have you gone over the farm of Patrick Magrath?—I have.

Denis O'Connor.

25 April 1837.

3365. When was that?—I think about the 4th or 5th of February last, as well as I can recollect; I can refer to my book.

3366. Have you got your book with you?—I have.

3367. Have you an entry there about it?—I have.

3368. Mr. *Wrangham.*] When did you make that entry?—The very moment I valued the farm.

3369. Mr. *Robinson.*] Tell me the value of that, taking every thing into consideration?—Taking every thing into consideration, the house and the improvements, I valued the land at 2*l.* 10*s.* per acre; 2*l.* 2*s.* without the house and improvements; with the house and improvements I valued it at 2*l.* 10*s.* If it were without the house or offices, then I would set it at 2*l.* 2*s.* an acre for a solvent tenant, but with them it would be 2*l.* 10*s.*; and some of the witnesses who came in to prove otherwise, admitted to me outside that the man had a fair interest in his land.

3370. Who was that?—Andrew Johnstone.

3371. What does the land let for in that neighbourhood?—I know John O'Farrell, the brother of the member for Kildare, within a mile or two, has some land set at 2*l.* 8*s.* an acre, and the rents are all paid.

3372. Is that land of about the same description?—Yes; I think it would give about 20 barrels of oats to the acre; the same that I know this farm would.

3373. And about the same degree of productiveness as you speak of?—Yes, I think so.

Cross-examined by Mr. *Wrangham.*

3374. Who is the landlord of this farm?—He is not a resident in Lisfarrell; I forget his name.

3375. Whom does this man hold of?—I tell you I forget his name.

3376. There are two, are there not; there is a middle-man and head landlord?—I do not know that there is; I rather think there is not.

3377. Is the usual mode of valuing lands to value them at so much, and the house at so much, separately, or to value the two together?—Lands are usually set out without the house; but when the house and offices are along with them, they are more valuable than otherwise.

3378. Is it not usual, in valuing a farm for the purpose of setting it, to value it at so much per acre, including the house?—I think so; but if you refer to the memorandum I made at the time, what I said was, the house, with the improvements, was worth 4*l.* per annum, and the land would be worth 2*l.* 2*s.* an acre, which would bring it up to the quantity of land the man holds to about 2*l.* 10*s.* an acre.

3379. How long have you been in the habit of valuing land?—Since I have been 13 years old; I have been in the habit of dealing as a farmer.

3380. How long have you been in the habit of valuing land before?—I never valued land before except on this; I know the value of my own knowledge, holding from 300 to 400 acres myself, and being in the habit of setting land of my own to tenants.

3381. You never valued before, except on this occasion?—Never on such a subject as this; I have valued land often for my own affairs and the affairs of others.

3382. How long have you held this land which you talk about, these 300 or 400 acres?—I have held what I hold in Longford for the last seven years.

3383. How much is that?—Something short of 100 acres.

3384. How much short?—I think it is beyond 90; there is more in the lease; in the lease I have there is 130 Irish acres, but there is some bog included; the arable land is beyond 90 acres.

3385. You have a farm of 90 acres of arable land?—Yes.

3386. And this is an estate, as my friend calls it, of nine acres, this one of Patrick Magrath's?—I do not know whether it is nine or ten; I am not a land surveyor.

3387. Is this your memorandum of it: Patrick Magrath, of Lisfarrell; what is the meaning of that?—[*pointing to some entry.*]—I thought there were 12 Irish acres; I am since told that there were only 10; I am not a land-surveyor.

3388. You took down in your note 12 Irish acres; be good enough to go on?—At 27*s.* per acre, equal to 20*s.*; good house and very good offices; the house and improvements worth 4*l.* per annum, and the land worth 2*l.*

3389. What

Denis O'Connor

25 April 1837.

3389. What is the sort of person who could take a farm-house without taking a farm; how could you find a tenant to give 4*l.* for the house with the farming-offices, without taking the farm along with it?—You would, if there is only half a rood of land along with it; I know houses that set at 3*l.* or 4*l.* a year not one-third so good as that.

3390. You valued the land separately from the house?—I did.

3391. I ask you, if you ever heard of such a thing as letting the farm-house apart from the farm?—I have.

3392. I ask you this question, do you know and can you mention one instance where the farm-house and farm-buildings are let to a different person from the person to whom the farm is let?—By the way you put the question, you seem to say there is a large quantity of the farm; but where there is a small quantity of the farm, such things are quite common.

3393. Mention an instance where the farm is to let to one person, and the house and offices to another?—I could give an instance.

3394. Then mention one?—Mr. Vincent, of Tullabore, had a house with about half an acre of land, and 16 acres of land separate from it, for which he was paying 14*l.* or 15*l.* a year, and 16 acres of land set separate from it, let at 2*l.* 2*s.* an acre.

3395. Is that a cabin like this?—It is a better description of house than this.

3396. It is let as a place to reside in, let as a residence to Mr. Vincent?—All houses are for men to reside in.

3397. But they are not all for Mr. Vincent, of Tullabore, to reside in; this is let to Mr. Vincent?—Yes.

3398. Is that at all the same description of house as this one of Patrick Magrath's is?—It is a better house.

3399. Is it not a great deal better house?—It is not a great deal.

3400. Now you said something that Johnstone, one of the witnesses, said to you; pray what were the words he used?—Drawing conclusions between a man of the name of Whelan and Magrath's vote, he thought Magrath had a very good interest in his land, but Whelan had not so good.

3401. Do you mean to say this, that Johnstone said that he had an interest of 10*l.* over and above his rent?—I do not say that he said any such thing.

3402. What did he say?—He gave me to understand the man had a very good interest in his land.

3403. I suppose you take a considerable interest in elections, do you?—No more than any other man of my politics in Ireland.

3404. Are you not a warm partisan at elections?—I do the best for any man that I vote for; no one can accuse me of being corrupt.

3405. Have you not been expressing yourself outside pretty strongly on this inquiry?—I have heard on the other side expressions quite as strong; I have heard Mr. Horsman accused of taking a golden pill, and that would enrage any man.

3406. Have you not been using strong expressions as to the conduct of this Committee?—When I heard Mr. Horsman accused of taking a golden pill, perhaps I said there were persons on the other side quite as corrupt.

3407. I want an answer to a general question, whether you have not, in your zeal for your party, been using strong language as to the proceedings of the Committee?—I do not wish to say any thing that would be offensive to a Committee, which is the highest tribunal in the land.

3408. Did you or did you not do so in the other room?—I said I doubted the correctness of the decisions, and I do so still.

3409. I ask you, on your oath, was that all you said, and do you mean to represent that to the Committee?—I said more, certainly.

3410. You said a good deal more?—Yes, and I heard a great deal more on the other side.

3411. I ask you what you said yourself; did you not say a great deal more than you have repeated here?—I said more, and I heard more.

3412. Did you not use more violent language than that which you have represented here?—

Mr. *Robinson* objected to this course of examination being persevered in

Denis O'Connor.

25 April 1837.

Re-examined by Mr. *Robinson.*

3413. My friend has asked you whether you have ever known one of the cabins or houses let without the land; have you ever known land let without a house?—Certainly.

3414. When it is let without a house, does it let for less per acre than when it is let with?—Certainly.

3415. My friend asked you whether it is usual to let land with a house or without a house; did you value this land with the house, and did you value it without the house?—Just so.

3416. If it was to let now, what do you think he would get for it with the house?—Two pounds ten shillings an acre from a solvent tenant.

3417. *Committee.*] Would you give that yourself, if you wanted a thing of the kind?—I would.

3418. You say that positively?—I do; and from the value of land in Ireland, any little capital in the country being brought to bear on land and small farms of that kind renders it more valuable than it otherwise would be.

3419. You swear that?—Yes.

3420. Mr. *Wrangham.*] For what term would you give that; you say 2*l.* 10*s.*; would you give 2*l.* 10*s.* for it, taking it for a year or two?—Should I be in the rank of life to require it, the longer the lease would be, the better I would like it.

3421. You think the longer the term, the higher the value is?—Yes; that renders it more valuable to the lower classes in Ireland.

3422. Suppose the land is not forced, supposing it is in an ordinary state of cultivation, would the land be of more value to let for a longer term?—Of course.

3423. Suppose it to be at the moment in a forced state of cultivation, so as to exhaust the land, it would be of more value for a single year?—The land is in a good state of cultivation.

3424. Supposing other land—land, generally speaking; supposing it is for the time in a state of forced cultivation, would it let for more for a single year than a term?—For part of it I would give 7*l.* or 8*l.* an acre for one year, to let in con-acre; it would set at 7*l.* or 8*l.* an acre for a single year.

3425. Do you know any instance of a man letting land in this neighbourhood at 2*l.* 10*s.* an acre?—I have given you the name of Mr. Farrell, the brother of the Member for Kildare, who lets land at 2*l.* 8*s.*; my cousin was his agent.

3426. Where is that?—Within a mile and a half of this land, and perhaps nearer.

3427. And you swear his land is of the same quality as this?—Upon my oath, I think this farm is as good land; the parish of Ardagh and the barony of Ardagh are considered the best land in the county of Longford.

3428. Mr. *Whitesides.*] Better than Granard?—I think it is as good.

3429. You hold land in the county of Longford yourself?—Yes, about 100 acres; there are 130 in my lease, but the rest is bog, and improved bog.

3430. What sort of rent do you pay, and for what term of years?—I pay 35*s.* an acre; it is in the same barony as this, and I have no hesitation in saying I clear 1*l.* an acre by it; I keep my accounts, and, after paying all expenses, I have no hesitation in saying I clear 1*l.* an acre by it.

3431. Is it in the same state of cultivation as this, or not?—Yes, it is part for grazing and part for tillage; by grazing what is not so profitable, I clear what I tell you.

3432. Is this not as good as your best land?—I think, in the ordinary run, it is as good as that.

3433. Is this as good as your best?—I have a ten-acre field in it, and I would not say this is as good as that ten-acre field, but, on an average of my farm, I think it is as good; I have a ten-acre field by which I have cleared 50*l.*, without putting any manure on it these five years.

3434. Mr. *Wrangham.*] You put no manure on it for five years?—Without putting manure on it; I did not manure it for five years; I got five crops from that meadow.

3435. Without any manure?—Yes, I am speaking of one ten-acre field, and I would not say Magrath's farm is as good as that; but, taking it on the whole, it is as good land.

3436. Is not taking five crops running, without any manure, exhausting the land?—I was obliged to graze it.

The

The Witness was ordered to withdraw; the Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:— 25 April 1837.

"That the vote of Patrick Magrath be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Francis Whelan; 238 on the list, and 41 on the poll.

Mr. *John V. Crawford,* called.

3437. Mr. *Wrangham.*] DO you produce the affidavit of Francis Whelan?—I do. Mr. *J. V. Crawford.*

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, Francis Whelan, of Lisfarrell, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and lands, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Lisfarrell, in the barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 12th day of January 1820; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Francis ✕ *Whelan.*
mark.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Francis Whelan, of Lisfarrell, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Lisfarrell, in the barony of Ardagh, in this county. Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.

Certificate, No. 1,114,
Paid L. & G.

John V. Crawford,
Clerk of the Peace.

James Ganly, re-called.

Examined by Mr. *Whitesides.*

3438. WILL you look in your book; were you present when Francis Whelan was registered?—I was. *James Ganly.*

3439. Was there an objection taken to him?—There was.

3440. On the ground of value?—Yes.

3441. Tell me what he swore he registered out of?—Eleven acres and a half, at 27*s.* 8*d.* per acre.

3442. Mr. *Robinson.*] Do you know Francis Whelan?—Not personally.

3443. Have you any recollection of him now?—Not the slightest, except from my note.

3444. You recollect such a person coming up?—A man calling himself Francis Whelan came there.

3445. Did you see him sign any paper?—No.

James Ganly.
25 April 1837.

3446. Or take any oath?—I saw him take an oath; every body that came up claiming to register was sworn; I remember his being sworn to speak the truth in the way all of them were sworn, and that is all.

3447. Was there evidence given as to value on both sides?—No.

3448. On either side?—Not on either side, according to my note.

3449. What is your note then?—" Francis Whelan, 11½ acres, 27*s.* 8*d.* per acre, could afford to pay 30*l.* for it; admitted."

3450. Was there any discussion about it?—There was; he was cross-examined.

3451. By whom?—By Counsellor Smylie.

3452. As to value?—Yes.

3453. Just let me look at that note; this is your memorandum?—It is.

3454. Taken by yourself?—Yes, by me, in my own handwriting.

3455. This is what he said that it was: " 11½ acres, at 27*s.* 8*d.* per acre, and could afford to pay 30*l.*;" that is what the voter said?—He said that; there might be many other conversations in the cross-examination I did not take.

3456. But that you put down?—Yes.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Whitesides.*

Andrew Johnstone.

3457. DID you serve a notice to produce a lease on Francis Whelan, of the barony of Ardagh?—On his wife.

3458. In the house?—Yes.

3459. What day did you serve it?—Either the 16th or 17th; it was the same day that I served Magrath.

3460. Is it the next farm to the other?—There is one between it.

3461. The next but one?—It is.

3462. Did you value this farm?—I did on that occasion.

3463. Will you state to the Committee the highest value you believe a solvent and responsible tenant could afford to pay for such a farm?—The highest value any tenant could pay as rent would be 28*s.* an acre.

3464. You mean by a solvent tenant, a man who can pay his rent for more than one year?—Yes.

3465. Will you tell the Committee what kind of house there is on that farm?—It is a low, bad, old, miserable house, every thing about it bespeaking poverty and dirt.

3466. Is it a cabin?—It is a cabin; and there is about four acres of the land a very light shallow soil; and there is three or four acres of a worse description; and there is in another part of it nothing better than a snipe-walk, a marsh.

Cross-examined by Mr. *Robinson.*

3467. When did you go over the land?—I went over the day I viewed it.

3468. I suppose so; when was that?—The 16th or 17th February.

3469. That was the same time you went to serve the notice?—The same.

3470. Who was with you?—Mr. Richardson.

3471. Did you see Whelan there?—No, I did not.

3472. You did not see him?—No.

3473. Whom did you see?—I saw his wife, a daughter, and I think a son.

3474. Who did you say was with you?—Mr. Richardson.

3475. How long might you have been about this?—I cannot exactly say; I suppose about half an hour; it might be more or less.

3476. Did you serve the notice first or last?—We viewed the farm first, and then served the notice.

3477. How much is there of it that is no better than a snipe-walk?—I should suppose about an acre or two; about an acre.

3478. And what do you say the four acres are worth?—The four acres may be worth in themselves 32*s.* per acre.

3479. What is the rent of it?—I should suppose from 22*s.* to 23*s.*

3480. Is there a meadow on it?—No, not any.

3481. There is not?—I did not see any meadow.

Andrew Johnstone.

25 April 1837.

3482. Mr. *Whitesides.*] Is it held by the same landlord who holds the last farm?—It is.

3483. Mr. *Robinson.*] Who is it?—Mr. Malone, of Barronstown.

3484. How near is it to your place?—It is within a gunshot of my house.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson*, called.

Examined by Mr. *Whitesides.*

Mr. *J. R. Richardson.*

3485. DID you value the farm of Francis Whelan in company with Johnstone?—Yes.

3486. What rent did you put on it, such as a solvent tenant could pay?—Twenty-eight shillings we put on for that farm; it was rather larger, but more mixed in quality than the other farm.

3487. And you put something more for it?—Less; there was more bottom attached to it.

3488. What kind of house is on it, may I ask you?—A low thatched house, and a small road leading up to it.

3489. You include house and all?—Yes, certainly, I include it all.

3490. You say a solvent tenant would pay—what?—Twenty-eight shillings.

3491. Could he pay 10 *l.* a year more than that?—No.

Cross-examined by Mr. *Robinson.*

3492. Did you examine this land carefully?—We did.

3493. Is it all much about the same quality?—No.

3494. What is the difference?—There are between four and five acres of what we considered as upland, and another portion of it bottom, running down lower towards where there was a small stream at that time, at the time we were on it last.

3495. When was that?—Sixteenth February, I think.

3496. Was that in the rainy season?—It had been very wet the night before.

[*The Witness was ordered to withdraw.*]

Mr. *William Walker*, called.

Examined by Mr. *Whitesides.*

Mr. *W. Walker.*

3497. DID you value, as tithe valuator, this farm of Whelan's, of the barony of Ardagh?—Yes, this farm. I find a Francis Whelan and a widow M'Loughlin holding eleven acres two roods and ten perches of ground.

3498. In your capacity of tithe valuator did you examine this land?—I did.

3499. What is the valuation of it?—Looking at the classes there, it will reckon from 26 *s.* to 27 *s.* an acre.

3500. Was it according to that value you assessed it?—Yes.

3501. And not higher?—No.

3502. And this valuation, you say, was made without any reference to this or any thing else?—Yes, it was made in 1826.

3503. You assessed them in that way?—Yes.

3504. Will you read the whole of that entry?—Francis Whelan, 1st class, two acres; 2d class, four acres ten perches; 3d class, four acres two roods; 4th class, one acre; then there is half the 2d and 3d, and a little memorandum in the corner, which shows that eight acres two roods and two perches were going to make equally 2d and 3d; but we threw in the two roods to the four acres of 3d, and the ten perches to the four acres of 2d.

3505. First of all, whose handwriting is that?—My clerk's.

3506. Have you examined it with any thing, also, yourself?—I stood by when he was making that entry, and this is the book from which all the others were made; this is the original.

3507. Did you see him write those figures you have your thumb on?—Every figure in it.

3508. When was that?—I suppose the commencement of the book will show me.

3509. You saw him take that from the other papers?—No, I saw him take the other papers from this; this was commenced in February 1826.

3510. When were those figures written which are now before you; those very

Mr. *W. Walker.*

25 April 1837.

figures on that piece of paper?—They were written in some of the fields of Leslea, in that very book.

3511. Was you present?—Yes, being present; I see the day they were written was the 17th May 1826.

3512. Was that the day you was making the valuation?—It was the time I made the valuation.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] This is my case.

Denis O'Connor, re-called.

Examined by Mr. *Robinson.*

Denis O'Connor.

3513. DID you examine the land of Francis Whelan, of Leslea?—Yes.

3514. Just look at your note of that, will you; when was it you looked at it?—The 4th, 5th or 6th of February last, the same day I looked at the other.

3515. Did you examine it carefully?—I did.

3516. Will you state what you believe it to be worth per acre?—I consider it to be worth 2*l.* 2*s.*, and 4*l.* per annum value for the house and offices.

3517. What do you mean it is worth, taking it as it stands, the land with the house and buildings on it, or whatever it is?—I would make it only 48*s.*; I would make it less than the other; there is an acre and a rood of meadow in it; an acre at all events.

3518. There is some meadow in it?—There is.

Cross-examined by Mr. *Whitesides.*

3519. It is plain this is written with a different hand, the 22 acres, is it not so?—It is since I came to England I turned it from Irish into English acres.

3520. Was that to make it look big?—No, I considered it might be necessary; some of the Committee might want to know how many English acres went to the Irish, and I put 22 acres English.

3521. You heard there were some inquiries made about it?—I did.

3522. Did you write every word of that entry at the same time?—On my oath, every word, but this was entered on the 6th of February.

3523. Was it the 6th of February you went to the farm?—Yes.

3524. How did you happen to go on the 6th February to this farm?—I cannot understand you.

3525. Will you swear that; how did it happen you went on the 6th February?—Because I made it my business to go.

3526. Were you asked to go?—I was by letter asked to go.

3527. When?—On the 4th of February, by William Goodlake, the conducting agent for the petitioner.

3528. You were asked on the 4th to go to the farm?—By letter which I received on the 5th, and I went on the 6th.

3529. You were asked to visit any other farms at the same time?—He asked me to value the whole in that barony.

3530. Are you a member of the club yourself?—I am.

3531. You were not appointed by the club to go there?—I had no conversation with the club previous to that about it.

3532. Were you appointed by them to go there?—It was generally supposed there would be a petition, and some of them used to say to me I should go over the barony of Ardagh, and I did.

3533. Had you no notion at all, on the 6th February, that this particular farm was quarrelled with?—I considered neither of these Leslea people would be quarrelled with in point of value, because it is considered by the greater number in that county that they have a good interest in their land to the amount of 10*l.*

3534. Then you considered that neither this person, whose vote is now under consideration, nor the last person's vote which has been disposed of, would be questioned?—It was my impression that they would not be questioned.

3535. Why did you go to value that farm when you believed it was impossible for any reasonable man to question the vote?—I was directed to view every man's land in the barony of Ardagh, and I have done so.

3536. You mean every man, whether he had 100 or 150 acres?—I did not value some that had 100 acres; I considered there was not a single man in the barony of whom there is not an entry in that book.

3537. Do

Denis O'Connor.

25 April 1837.

3537. Do you swear you were desired to view men's farms who had 100 acres?—I swear I was desired to view the whole of the farms in the entire barony.

3538. And you did?—Some that had 50*l.* votes I will not say I viewed; but I saw their houses and places, and made entries.

3539. Did you find any one case in the whole barony, of any one voter who voted for Mr. White, who had not a beneficial interest?—Yes, I did.

3540. How many did you find?—Not half a dozen.

3541. Did you ever, for any gentleman in the county of Longford, let or value a farm before you came here to-day?—It is in the county Roscommon that any property I have lies.

3542. Were you ever in the county of Longford called upon to value any land there between landlord and tenant?—I have been along with my cousin when he valued farms there.

3543. Did you ever value a farm for a landlord in the county of Longford as between landlord and tenant?—No.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—"That the vote of Francis Whelan be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Patrick Heslin; 118 on the poll, 81 on the list.

Mr. *John V. Crawford,* called.

Mr. *J. V. Crawford.*

3544. Mr. *Wrangham.*] DO you produce the affidavit of Patrick Heslin?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d October 1832, by and before the Deputy Assistant Barrister of the county of Longford appointed for that purpose, I, Patrick Heslin, of Crieve, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Crieve and barony of Longford, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed or instrument bearing date the 24th August 1793; and that I am in the actual occupation thereof by residing, tilling or grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Patrick Heslin.

Sworn and subscribed before me, in open Court,
this 22d October 1832,

J. F. Fosbery,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Heslin, of Crieve, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Crieve, and barony of Longford, in this county.

Dated this 22d October 1832, at Longford.

J. F. Fosbery,
Deputy Assistant Barrister.

Certificate No. 893.

John V. Crawford.
Clerk of the Peace.

Andrew Johnstone, re-called.

Examined by Mr. *Whitesides*.

Andrew Johnstone. 25 April 1837.

3545. HOW near do you live to the farm of Patrick Heslin, in the barony of Longford?—About two miles.

3546. Do you know the farm?—Yes.

3547. And man?—Yes.

3548. Did you go with Mr. Richardson for the purpose of valuing the farm in February?—I did.

3549. What time?—Sixteenth February.

3550. Had you a notice to serve on the voter?—Yes.

3551. Did you ask Mr. Richardson to leave that notice?—Yes.

3552. You live near it?—I do.

3553. You handed the notice to Mr. Richardson, and requested him to serve it?—I did.

3554. Did he do so at your request?—Yes.

3555. Did you value the farm?—I did.

3556. Do you know the place?—There are three; they hold it in common; I could not exactly see which was Heslin's farm of the three.

3557. What value did you put on that land?—Thirty-five shillings an acre; it is all the same description of land, there is no difference in the holding; the three are the same.

3558. Who was with you?—Richardson.

3559. Anybody else?—The landlord, Mr. Little.

3560. Did you see the tenant there?—No.

3561. On that occasion you valued the land in company with Little and Richardson?—Yes.

3562. What rent do you believe a solvent and responsible tenant could afford to pay for this farm; you say these farms are all of the same description?—They are, and I should not have known which was which, unless the landlord had pointed out the land-marks.

3563. Did he point out Patrick Heslin's?—He did.

3564. What value did you place on that per acre as the highest rent a solvent tenant could pay for it?—Twenty-five shillings an acre lease; it was 1*l.* 3*s.*

3565. The man pays within 2*s.* an acre of the utmost he can make?—He pays within 2*s.* an acre of what I conceive a solvent tenant could afford to pay for the farm.

3566. Having 13 acres, he makes 1*l.* 6*s.* a year and no more?—[*No answer.*]

3567. Mr. *Thesiger.*] Do you know whether the value of land has increased very considerably within the last twenty or thirty years?—I would say—I can only answer from the leases on my own property—that the rents of land in 1825 were not nearly equal to what we were paid for the same lands some years previously; I believe it is the general remark, that since the war all lands are fallen.

3568. Probably your experience will not extend earlier than the termination of the war; going into the last century, have you experience of any lease from 1790 down to 1800?—I have not.

3569. You do not at all know whether the rents at that time were higher or lower than at the present time?—I would not like to say positively; I have no personal knowledge of that fact.

Mr. *Thesiger.*] This is a lease of 1793.

Re-examined by Mr. *Wrangham*.

3570. You say your own lands you let in 1825 had been let previously at a higher rent than you could then obtain?—Yes.

3571. Had the lands to which you refer been let under leases previously to your coming of age?—Some were.

3572. Were they leases of long date?—Generally 21 years and a life.

3573. I understand you to put the value of 1*l.* 5*s.* an acre as the highest value which a tenant could give in the shape of rent?—Yes.

3574. I understand you to say that the utmost profit in the shape of additional rent a tenant could obtain would be 2*s.* an acre?—I think so.

[*The Witness was ordered to withdraw.*]

3575. The

3575. The landlord was with you the whole time?—He was, from the time I went to the time I left.

3576. *Committee.*] I believe you described yourself as a magistrate for the county of Longford?—I do hold the commission of the peace in the county of Longford.

3577. Are you a professional valuer of property?—I am not.

3578. Is it common for magistrates of the county of Longford to serve notices?—I was most reluctant to do it in this and the adjoining case.

3579. What overcame that reluctance?—Richardson was with me; I do not know what his reason was for asking me to do it; if I had time to consider it, I would not have done it; it is the only thing connected with this business that I regret, serving those two notices.

3580. Do you value land professionally?—I do not; but almost every gentleman in the county had a great interest in the prosecution of it, and we were anxious to ascertain the real *boná fide* voters of our county, and a great number of gentlemen have joined in the investigation.

3581. Do you consider, as a gentleman living on his property, that you are qualified to fix a value on land from your own knowledge?—From the setting of my own lands, from observation, and having farmed lands for some years, I would say I am.

3582. How long have you acted as a magistrate?—I think four years.

3583. What value do you put on the land for the house?—In setting lands in Ireland, the houses upon them give very little additional acreable value.

3584. What do you say it was worth per acre with the house?—Twenty-five shillings an acre, with the house and offices.

3585. Are you aware the rent the man pays is 1 *l.* 3 *s.*?—I am aware of the rent; the landlord showed me the receipt.

3586. What description of house is it; is it a tolerably good house or not?—For that farm, I should say it is a tolerably good house.

3587. Are there offices attached to it?—There are on the opposite side of the road; they live on one side, and the offices are on the other; the offices are not good.

3588. Did you examine them?—I did not go into them; I looked at them; I merely took a view of them.

3589. You gave an outside value?—I would not add to the rent of the farm on account of the house and offices.

3590. You did not examine them at all, to ascertain whether they were good or not?—I looked at them.

3591. Is it good land or not?—There are none of it of the first quality.

3592. I ask you whether it is good land or not?—There is part of it moory land, not bad, and part of it bottoms, which I consider very bad.

3593. You say there is part not bad, and part of it very bad; is there any tolerably good?—I will not say there is any of it what I call good land.

3594. There is none bad, is there?—There are some bottoms very bad.

3595. There is none bad intermediate between not bad and very bad, there is no land of that kind; you say there is part of the land not bad, and part very bad, that is the account you give?—That is in comparison of one part with another.

3596. Was the land well stocked?—I did not see any stock on it; the man might have stock; it was a very severe day; I did not see any cattle on the farm.

3597. It was such a day that you were not sorry to get off the land, I suppose?—It was a very wet day.

3598. It was a bad day to go on an expedition of that kind?—No, it was not.

Re-examined by Mr. *Wrangham.*

3599. Who is the landlord?—Mr. Little.

3600. I understand you that some portion of the land was very bad, and that the rest was not so bad?—The rest was not so bad.

3601. As to the house and offices, in giving the value per acre, have you taken into consideration letting the land and house together?—I have.

George Gardiner, called.

Examined by Mr. *Whitesides*.

G. Gardiner.
25 April 1837.

3602. WERE you present at the registry when Patrick Heslin came up to be registered?—I was.

3603. Was he objected to on the ground of value?—He was.

3604. What number of acres did he swear to?—Thirteen acres.

3605. What rent?—Fifteen pounds a year; 1*l.* 3*s.* 1*d.* an acre.

Cross-examined by Mr. *Robinson*.

3606. Do you undertake to swear that Mr. Heslin was objected to?—He was.

3607. Was he objected to on the ground of value?—He was.

3608. You are sure of that?—I am.

3609. Is it from your entry alone you judge he was objected to, or do you remember it without reference to the book?—From both.

3610. Looking at that book, is your memory sufficiently refreshed, from the entry you find there, to be able to speak without the book to the fact of his having been objected to?—It is.

[*The Witness was ordered to withdraw.*]

Mr. *James Richardson*, re-called.

Examined by Mr. *Wrangham*.

Mr. J. Richardson.

3611. DID you go to the holding of Patrick Heslin?—Yes.

3612. When was that?—It was either the 16th or 17th of February; I think the 16th.

3613. Who was with you?—Mr. Johnstone.

3614. Did you happen to have the notice in your possession?—I had.

3615. Did you serve it?—I handed it to him.

3616. To the voter?—Yes, to the voter.

3617. Was it one of those notices for the 28th?—It was.

3618. Did you value the holding?—I walked over the holding in company with the landlord, who pointed out the meerings and the holding, and I put a value on it.

3619. What value, when you went over it in that way with the landlord, did you put on it as the rent per acre which a solvent and responsible tenant could afford to give for it?—One pound five shillings per acre.

3620. You believe that to be the highest rent?—I believe that to be the highest rent a solvent tenant could afford to pay.

3621. Is there a good house on the farm?—Not a good one, it is a stone wall house.

Cross-examined by Mr. *Robinson*.

3622. You did not know Patrick Heslin's land at all?—I did not till it was pointed out by the landlord.

3623. You did not know which was Patrick Heslin's farm?—I did not.

3624. Did Richardson go as a stranger, or did he seem to know the land?—I do not know whether he knew it before.

3625. Did he require it to be pointed out to him?—He expressed a wish that the landlord Little would point out the bounds and the meerings of it.

3626. Neither you nor the other person knew it was Heslin's farm, unless somebody else told you so; you said there were three farms together, and that one was so, and that one was so mixed with the other, you did not know which was which till you were informed by the landlord; did you know which of the three was Heslin's?—I did.

3627. How did you know that?—Because two years ago I was going across from my house to C——, and I saw a man cutting, and I remarked he had a very poor crop.

3628. Do you recollect on what land you saw him?—I do.

3629. What did you mean by saying you did not know which of the three was his?—It is subdivided into different portions.

3630. Did those three persons occupy land mixed with each other?—One runs into each other, and is only divided by a land-mark of five or six inches in width.

3631. And

Mr. *J. Richardson*
25 April 1837.

3631. And one of those you swear was Heslin's?—I do.
3632. Was the land chiefly of the same quality, the whole of these three farms?—The whole of the upland is the same quality, and the bottoms are of the same quality.
3633. Is there the same proportion of upland and bottoms in the three farms?—Yes, I think about half of it is bottoms and half moory land.
3634. That applies to each of those farms?—To each.

Re-examined by Mr. *Whitesides.*

3635. The whole of the land is of the same quality?—Yes, it is.
3636. And there are land-marks to show it?—Yes.

[*The Witness was ordered to withdraw.*]

Mercurii, 26° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Thomas Nesbitt,* sworn.

Examined by Mr. *Robinson.*

Mr. *Thomas Nesbitt.*
26 April 1837.

3637. DID you value the premises occupied by Patrick Heslin, of the barony of Longford?—I did.
3638. When was it?—In February last.
3639. Did you go carefully over them?—Yes, I did.
3640. In what state did you find the house and offices?—There were stone walls to the house and offices which were built inside.
3641. Did you find stock on the premises?—Yes, I did.
3642. Now what do you say you believe the value of that to be per acre?—I think it worth 2*l.* an acre, moderately speaking.
3643. Do you think a solvent tenant would give 2*l.* for it?—Indeed I do; and I think the tenants on it are solvent.
3644. Is it near Longford, or how far from Longford is it?—It is near Longford.
3645. And is that a good market town?—It is one of the best inland market towns in Ireland.

Cross-examined by Mr. *Wrangham.*

3646. You say the tenants on it are solvent?—They seem to be so.
3647. Do you know what they pay?—I know nothing about it; I only judge from the situation and appearance of the place.
3648. Do you mean to tell me that you do not know what the rent paid is?—I think the rent paid is 15*l.* something; and I think the land, as well as I can recollect, is 13 acres 2 roods.
3649. You think tenants paying a rent of 15*l.*, or 1*l.* 3*s.* 1*d.* per acre, are solvent?—Indeed I do.
3650. How far do you live from this place?—I live from this place, I suppose, seven miles.
3651. Had you ever seen it before?—Indeed I had, 45 years before.
3652. Pray, did you make any memorandums?—I did.
3653. Perhaps you have got your book with you to-day?—I have got the memorandums I made on the spot; I thought that would be most desirable—[*handing them to the learned Counsel.*]
3654. The first question I asked you was, whether you knew what the rent was, and you said you did not?—Indeed I did not say any such thing; I have no notion of telling a lie about it.
3655. Is this the book you were asked for by my friends the other day?—That is the memorandum I took in the field; and I supposed that is the one that was meant.
3656. Is this the book my friend asked you about the other day, and that you were directed to bring with you here?—That is the one, as I understand, which the

Mr. *Thomas Nesbitt.* the Counsel on this side desired me to bring the last day; I thought the properest one to bring was the note I took in the fields at the same time.

26 April 1837.

3657. Now do you mean to say that this book, this particular writing, was made at the time that you were on the premises?—I swear it positively.

3658. Where did you last see that book?—

Mr. *Thesiger* objected to the witness being examined on this book, it not having been previously referred to.

Mr. *Wrangham* was heard in answer to the objection.

The *Committee* were of opinion there was not sufficient to warrant the witness being cross-examined on the book in this case.

The Committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:

"That the vote of Patrick Heslin be struck off the poll."

Mr. *Whitesides.*] The next is the vote of William Farrell; 243 on the poll, 76 on the list.

Mr. *John V. Crawford,* sworn.

Mr. *J. V. Crawford.*

3659. Mr. *Whitesides.*] DO you produce the affidavit of William Farrell?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace, holden at Longford, in and for the county of Longford, on the 26th day of June, in the year of our Lord 1833, I, William Farrell, of Crieve, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any town-land or division of any parish or barony lying and being at Crieve, in the barony of Longford, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 24th day of August in the year 1793; and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. —So help me GOD.

William Farrell.

Sworn and subscribed before me, in open Court,
this 26th day of June 1833,
George French,
Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That William Farrell was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Crieve, barony of Longford, in this county.

Dated this 26th day of June 1833, at Longford.

C. Geo. French,
Assistant Barrister.
John V. Crawford,
Clerk of the Peace.

Certificate No. 1,409.

George Gardiner, sworn.

Examined by Mr. *Whitesides.*

G. Gardiner.

3660. HAVE you any entry relating to William Farrell?—I have.

3661. Were you present when he came up to be registered?—I was.

3662. Was there an objection taken to him on the ground of value?—There was.

3663. Do you know the district of county in which he lives?—I do.

3664. Is

3664. Is it a part of the farm or the next farm to Patrick Heslin?—He is a copartner with Patrick Heslin. *G. Gardiner.*

3665. Will you state to the Committee what he swore he registered out of?—He stated he had 10 acres in possession at the same rent as the former, 1*l.* 3*s.* 1*d.* 26 April 1837.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson*, sworn.

Examined by Mr. *Whitesides.*

3666. DID you examine the farm of William Farrell, of Crieve?—Yes. Mr. *J. R. Richardson.*

3667. You mentioned yesterday that Johnstone asked you to serve two notices?—Yes.

3668. Was this one of the places where you left the notice?—I left it with a person who said he was his son.

3669. What day was that?—Sixteenth February.

3670. For what day?—For the 28th.

3671. Johnstone was with you?—He was.

3672. You mentioned yesterday you examined at the same time two or three farms; did you examine Farrell's farm?—Yes.

3673. Is it part of the same farm as Heslin's?—It is part of the same farm as Heslin's; it is not divided by ditches, but what we call land-marks.

3674. What is the quantity in Farrell's farm?—I was informed by the landlord—

3675. Never mind what he told you; from your inspection of that farm with Johnstone, what is the value that, in your opinion, a solvent tenant could pay for it?—One pound fifteen shillings.

3676. The same as the last?—Yes.

3677. Is there any difference in the land?—Not the least.

3678. Mr. Little was with you?—He was.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, sworn.

Examined by Mr. *Wrangham.*

3679. DID you go with Mr. Richardson and value the farm of William Farrell of Crieve?—I did. *Andrew Johnstone.*

3680. I believe you live near it?—I do.

3681. Now what value do you put on it per acre as the rent which a solvent and responsible tenant could pay?—The same as I did in his copartner Heslin yesterday, 25*s.*

3682. The land is exactly of the same description?—Just of the same description.

[*The Witness was ordered to withdraw.*]

Thomas Nesbitt, called.

Examined by Mr. *Austin.*

3683. DO you know the farm in the occupation of William Farrell?—Yes, I do; he is next neighbour to the last man. *Thomas Nesbitt.*

3684. You are well acquainted with him, are you?—Yes, I am; I can just say the same of this as of the last, as to the rent and acres and value.

[*The Witness was ordered to withdraw.*]

Mr. *Austin* then submitted that they had not sufficiently identified the quantity of land in the possession of the voter.

Mr. *Wrangham* was heard in answer.

Mr. *Austin* replied.

Thomas Nesbitt, re-called.

Examined by Mr. *Austin.*

3685. YOU say you are acquainted with this land?—I do.

3686. And you were about to tell us the quantity?—I cannot speak to the quantity of any land but by hearsay; I can speak to the value. *Thomas Nesbitt.*

3687. According to your knowledge of that land, what is the value of that land which a solvent tenant would pay?—I think it is worth 2*l.* per acre.

3688. Have you any doubt of that?—I have not the slightest doubt of it.

Thomas Nesbitt.

26 April 1837.

Cross-examined by Mr. *Wrangham.*

3689. You give the same value to this holding as you gave to the last per acre?—Yes, I do.

3690. *Committee.*] Do you know what quantity this man has in his holding?—I have heard.

3691. Did the tenant tell you?—The tenant told me.

3692. What did the tenant tell you?—Thirteen acres two roods and twenty-seven perches, as well as I remember.

3693. Farrell told you so?—He did.

3694. Now did you walk over it yourself?—I did.

3695. And you believe there was that quantity?—I think there was.

3696. Do you think he registered for that quantity?—I have no reason to doubt it; I do not know it.

3697. Are you prepared to produce the lease?—I have no authority over the lease; I can speak to nothing, except as to value, but what I hear.

[*The Witness was ordered to withdraw.*]

The Committee-room was then cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of William Farrell be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Thomas M'Cormick; No. 145 on the poll, 41 on the list.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

3698. Mr. *Whitesides.*] Do you produce the affidavit of Thomas M'Cormick?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the deputy of the assistant barrister of and for the county of Longford appointed for that purpose, I, Thomas M'Cormick, of Garream, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Garrycarn, and barony of Moydow, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deeds, leases or instruments bearing date 1st May 1829, 1st November 1825, 1st March 1803 and 1st May 1825; and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for any other freehold in any county, city or town. So help me GOD.

his
Thos ⋈ *M'Cormick.*
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas M'Cormick, of Garream, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Garrycarn, and barony of Moydow, in this county.

Dated this 22d October 1832, at Longford.

J. W. Fosbery, Deputy Assistant Barrister.
J. V. Crawford, Clerk of the Peace.

George

George Gardiner, re-called.

Examined by Mr. *Whitesides*.

George Gardiner.

26 April 1837.

3699. WILL you look in your book for Thomas M'Cormick, of Garrycarn?—I will.

3700. Was you present when Thomas M'Cormick came up to be registered?—I was

3701. Was there an objection taken to him on the ground of value?—There was.

3702. Will you state to the Committee what M'Cormick swore he registered out of; the rent and the quantity?—He produced a first lease of nine acres three roods in joint partnership, of which he had one-half; that gives four acres three roods and twenty-eight perches at 1*l.* per acre; he produced another lease.

3703. What had he in that?—He had one acre.

3704. What was the value?—Seventeen shillings per acre.

3705. *Committee.*] Under the same landlord?—No.

3706. Mr. *Whitesides.*] Is this a calculation of your own, or what the man swore?—What the man swore.

3707. Mr. *Austin.*] What did he swear?—He swore he held but half of the quantity contained in the first lease.

Mr. *Austin* objected to the question of joint tenancy being gone into.

Mr. *Whitesides* was heard in answer to the objection.

Mr. *Austin* replied.

Mr. *Whitesides* then stated, in order to save the time of the Committee, (not giving up the point,) it might be taken that the man held the whole nine acres.

Andrew Johnstone, called.

Examined by Mr. *Whitesides*.

Andrew Johnstone.

3708. DID you serve a notice on Thomas M'Cormick, of Garrycarn?—I did, personally.

3709. What day did you serve it on him, on the 15th of February?—Yes.

3710. Personally, for the 28th?—Yes.

3711. Do you know M'Cormick's holding?—I do.

3712. In the barony of Moydow?—I do.

3713. Will you tell the Committee what kind of house and place it is?—It is a very bad house, and it is a poor shabby-looking concern; the land lies nearly on the top, the south side of a mountain, and he walked over the land with us and showed it to us; it is divided, I think, into three parts.

3714. I do not want to know any thing of the divisions; what is the highest value, according to the best of your judgment, that a solvent tenant could afford to pay for this miserable farm?—The very outside value, which I should say would be a rack-rent, is 1*l.* 3*s.* an acre.

3715. Do you believe a solvent tenant would even pay that?—I believe a man who could pay his rent would not give that; on that, as well as in all cases, I gave the highest value.

3716. Is there on any part of it heather growing?—There are four acres of it covered with heath.

Cross-examined by Mr. *Robinson*.

3717. Did M'Cormick go round with you?—He did.

3718. He did not object to your valuing it, did he?—By no means.

3719. He knew for what purpose you came?—I told him, when I called, for what purpose I came, and on my departure I gave him the notice.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson*, called.

Examined by Mr. *Whitesides*.

Mr. *J. R. Richardson.*

3720. DID you visit Thomas M'Cormick at Garrycarn, in the barony of Moydow?—I did.

3721. What kind of farm is it?—It is a farm on the mountain.

Mr. *J. R. Richardson.*

26 April 1837.

3722. Generally, what is the highest rent a solvent tenant could afford to pay for it?—Twenty-three shillings is what I considered the highest rent that could be put on the part that could be laboured, for there is a part that could not be laboured.

3723. How much is there that could not be laboured?—The man himself told me he had four acres of a rocky mountain that could not be laboured.

3724. *Committee.*] How many acres had he which he could till?—I could not judge, for his farm is divided; his brother's farm comes between a part of it, and I could not therefore ascertain the quantity of land even by guess.

3725. Mr. *Whitesides.*] You think 1*l.* 3*s.* for the part you saw is sufficient?—I do.

3726. Did you see heath there?—In the mountainy part I saw nothing but heath.

Examined by the *Committee.*

3727. You say you served two notices?—Yes.

3728. Have you served any more?—Not any more.

3729. Did you serve them in your capacity as magistrate, because the country was disturbed, and it was necessary to have a magistrate?—I did not; I mentioned yesterday I was abruptly asked by Johnstone to serve two at particular places, and, without having time to consider it, I served them; it was not as a magistrate.

3730. What number of farms did you value in this way?—Almost all the farms I valued I had previous knowledge of before.

3731. That is no answer to my question; what is the number of farms?—I could not say.

3732. Did you value ten, twenty, thirty or forty?—I mentioned to the agent in this cause there were twenty cases I could speak to.

3733. Did you do this voluntarily?—I did.

3734. At the request, we have heard, of a club?—I do not belong to any club.

3735. I ask you, did you do it at the request of the club, or parties connected with the club?—I did it at the request of Mr. Fox in this case; and at the previous election petition, some years ago, I did it at the request of my friend, Mr. Lefroy.

3736. Have you acted long as a magistrate?—I think about four years.

3737. Soon after the date of your appointment?—Immediately on being appointed magistrate, I acted as a magistrate; I acted at the quarter sessions, where I happened to go in, and I was sworn in, and I sat on the bench that day.

3738. Was that the sessions in the beginning of 1833?—I think it was; I cannot be accurate as to the date, but I could easily ascertain the day of the month and the year.

3739. And you pursued much the same course at the last election, the general election of 1832?—Do you mean this election?

3740. I mean the last general election of 1832?—At the last general election in 1832, on which there was a petition; I was not a magistrate at that time.

3741. But you was a valuer then?—I did not come over on that petition.

3742. But you did value?—There were cases on which I might have come over, and which I could speak to, but I was not here at all on that petition.

3743. Mr. *Whitesides.*] Is there any such thing as a club on the part of the Conservative party in that county?—I know nothing of such a club; and I do not belong to it, if there is one.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* stated, he should offer no evidence in support of this vote.

The vote of Thomas M'Cormick was then struck off the poll.

Mr. *Whitesides.*] The next is the vote of James Farrell; 214 on the list, 86 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

3744. DO you produce the certificate of James Farrell?—I do.

[*The following Document was then put in:*]

£10 Freehold.

£.10 Freehold. County. By Deed.

26 April 1837.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, James Farrell, of Loughall, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Loughall, barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 28th December 1792; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other city or town. So help me GOD.

James Farrell.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,

J. Doherty,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford, to wit.

THIS is to certify, That James Farrell, of Loughall, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Loughall, barony of Ardagh.

Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister
John V. Crawford,
Clerk of the Peace.

James Ganly, sworn.

James Ganly.

Examined by Mr. *Whitesides.*

3745. WILL you look at your note-book for James Farrell, of Loughall, barony of Ardagh?—I have James Farrell.

3746. Were you present when he was registered?—I was.

3747. Was there an objection taken to his registration?—There was.

3748. On the subject of value?—Yes.

3749. Can you state the rent?—I omitted in this case taking down the rent he paid, but I have got down the quantity.

3750. You took down the quantity?—Yes.

3751. State what the quantity was he swore he registered out of?—Seven acres one rood twenty-eight perches.

Cross-examined by Mr. *Robinson.*

3752. How many James Farrells do you know there?—I know of one James Farrell particularly, not more, because I have not the residence of the man entered.

3753. Do you know of any other James Farrell who voted on the poll?—I do not know of any James Farrell who voted, but I know of several James Farrells in the county.

3754. Do you know of any other James Farrell on the registry; look at your notes?—I think there is a James Farrell, of Longford, on the register.

3755. How is he described in this book, the entry about this James Farrell?—You will find a witness was examined there to speak to it—[*handing the book.*]

3756. Is this it?—Yes, that is it.

3757. You say there was another James Farrell discussed?—I do not say that; I say

James Ganly.

26 April 1837.

I say I believe there is another James Farrell, who lives in Longford, on the register.

3758. How do you know this James Farrell is the person who lives at Longford?—I do not pretend to know it.

3759. Do you know James Farrell by face that came up to be registered?—If it be James Farrell, of Loughall, I know him.

3760. Can you bring back to your recollection the person who came up?—By no chance.

3761. Do you know James Farrell, of Loughall?—I do.

3762. Are those James Farrells father and son?—I do not know; I know an old man upwards of 50 years of age by appearance, whom I believe to be a freeholder.

3763. This does not say any thing about the situation of the land in your note?—If you will allow me to read it, I will tell you, for I have not it by rote.

3764. See whether there is any thing which enables you to say that is James Farrell, from Loughall?—I will read the note: "James Farrell, 7 acres 1 rood 28 perches; lease renewable for ever; has known land beside it set at 48*s.* an acre; has taken land lately at 38*s.* per acre; values his at 2*l.* 5*s.* 6*d.* per acre. James M'Cormick, sworn, proves Farrell's land is worth 50*s.* per acre; swore he would give him 50*s.*, and be happy to get it; has often made offers to people of land."

3765. Mr. *Whitesides.*] I ask you, do you know this Farrell that lives in the barony of Longford?—I do.

3766. Do you know that this is not that man?—I do, for it is out of his house in Longford that he registers.

3767. Will you tell the date he was registered?—It was in November 1832.

3768. Do I understand you to tell the Committee that you know the James Farrell who lives in Longford?—I do.

3769. And do you know that this man who came up to be registered is not the James Farrell who lives in Longford?—I do, because I recollect the James Farrell who lives in Longford holds no land.

3770. Mr. *Robinson.*] Do you recollect the person of James Farrell, who did come up to register, from what you have there?—I do.

3771. As far as that note goes, it might have been one Farrell or the other?—It could not be the Farrell in Longford, because he holds no land.

3772. *Committee.*] Was he registered?—Yes, at the time.

3773. Then you are not enabled to say whether there are more than two James Farrells on the register?—No.

[*The Witness was ordered to withdraw.*]

Mr. *John V. Crawford,* re-called.

Examined by Mr. *Robinson.*

Mr. *J. V. Crawford.*

3774. IS there another James Farrell on the register?—There is.

3775. Another besides the two that have been spoken of?—There are two in the barony of Ardagh; there was a third, but he is dead.

3776. *Committee.*] Besides the one at Longford?—There are two James Farrells, of Loughall.

3777. Mr. *Whitesides.*] When was he registered?—He was registered before the Reform Act; he was registered in 1829.

3778. Mr. *Robinson.*] Would not he be registered also under the Reform Act?—He might if he liked.

3779. *Committee.*] But was he?—Yes, he was re-registered.

3780. Mr. *Whitesides.*] He made no fresh affidavit?—No, there was no occasion to make a fresh one.

3781. Mr. *Robinson.*] He might have been objected to, though he was registered under the Reform Act?—I do not say any thing of that.

Examined by the *Committee.*

3782. I believe you are clerk of the peace for the county of Longford?—I am.

3783. I suppose you are a professional gentleman?—No, I am not.

3784. Do you know any thing of the value of land?—Yes, I do.

3785. A lease for ever, it does not signify the quantity, we will say, of average land,

land, what do you consider to be the value per acre of a lease for ever, if the land is worth 1 *l.* per acre?—I do not know this man's land. Mr. *J. V. Crawford.* 26 April 1837

3786. I ask you of land, generally, at 1 *l.* per acre?—I could not form any opinion of it; I never interfered in the value of land at all; I merely hold some myself.

Mr. *Arthur Griffiths*, sworn.

Examined by Mr. *Whitesides.*

Mr. *A. Griffiths*

3787. YOU are a solicitor, I believe?—Yes.

3788. Well acquainted with the county of Longford?—I am.

3789. You attended the registry, I believe, on many occasions?—I did.

3790. Were you present at the registry of Farrell with the last witness Ganly at the Reform registry sessions?—I was present at the registry of Farrell at the same time that Ganly was.

3791. Do you know the man?—I know James Farrell, of Loughall.

3792. Did you see him register in November?—I saw him in October or November 1832.

3793. At the Reform registry?—Yes.

3794. Have you ever happened to see his lease, if you know the individual?—I have.

3795. And read it?—Yes.

3796. Will you tell the Committee what the rent was at which he held?—He paid 14 *s.* 7 *d.* an acre; there are five or six different persons, and they pay 14 *s.* 7 *d.* an acre for the land, and they hold seven acres one rood and some perches each.

3797. And you know the individual himself?—I do personally, and I know his land.

3798. Is this near your land, may I ask you?—Yes, it is very near it; I have lived many years in the next meering to it, and I have lands now very close to it.

3799. Have you ever employed this very man to work?—I have employed him to write as a clerk sometimes, and to do business for me.

Cross-examined by Mr. *Robinson.*

3800. How many James Farrells do you know?—I know three, not all of this land; there are two James Farrells, of Loughall.

3801. Which is this one?—They both registered.

3802. *Committee.*] Out of the same land?—Yes, jointly, the same quantity and the same rent.

3803. Mr. *Robinson.*] You have seen the lease?—I have.

3804. What is the number of acres in it?—I cannot tell you exactly the number of acres.

3805. You say you saw the lease?—I did.

3806. How many acres, as far as you recollect, were demised by that lease?—I cannot exactly tell you.

3807. I did not ask you that; I say as near as you can recollect?—I cannot tell you.

3808. Do you mean to say you have no recollection whether it was more than seven or 20?—It was a great deal more than either.

3809. Do I understand you it was a lease to this voter and several others?—It was a lease to this voter's father and another person, and their children divided it among themselves.

3810. *Committee.*] And a lease for ever?—Yes, a lease for lives, renewable for ever.

3811. Mr. *Whitesides.*] Is it in existence?—I am not certain it is; there are two lives dead, and I am not sure whether the third life is in existence or not.

3812. *Committee.*] You consider a lease for ever adds very much to the value of the holding per acre?—I could get more rent for it; but I do not think a tenant could pay more rent for it.

3813. He has an interest in the lease for ever above the rent which he pays?—Yes; it would not produce a higher acreable value, though it would sell much higher; no man could pay more rent for the land than it is worth.

3814. If the lease was for sale, the lease itself would produce a considerable consideration?—It would sell, but no tenant could pay a higher rent out of a

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lease for ever than he could out of a lease for three lives; land is not worth more in the one instance than the other.

3815. But there is a greater interest in the occupier?—If selling out, there is; but no greater.

3816. Would not a man hazard more in improvements on land which he had on such conditions?—He would.

3817. And by such improvements would he not give himself the chance of a greater produce from the land?—If he made those improvements, he would.

3818. You say this, that though a man would not give a greater rent for the land by the acre, yet he would give a sum of money for the lease?—I say he would give a greater rent and a greater sum for the lease; but I do not conceive he could pay a higher rent out of the one than the other.

3819. Supposing this person wished to part with the taking, would he not get a consideration for the term?—Certainly he would.

3820. Are you a magistrate?—No, I am not.

3821. Mr. *Whitesides.*] This land is near you, as I understand?—It is.

3822. Will you state to the Committee, according to the best of your judgment, what is the rent a solvent tenant could pay for it, according to your knowledge and judgment in this matter?—I think the land is worth, if it were in a common lease, it would be only worth 30*s.*; and in a lease for ever, it might set for a couple of shillings more; I know this man has taken ground close to it at 30*s.*, which is much better.

3823. Is that the usual rent now paid?—The rents are different; they differ according to the quality of the land.

3824. Has he made any particular valuable improvements on this farm, this James Farrell?—He has a comfortable house, though it is an old house.

3825. Including that old house, giving him full credit for it, is your estimate of what the farm would produce what you have stated to the Committee?—It is; it would not be worth within 5*s.* an acre of it, if it was not for the house.

3826. You swear the highest rent a solvent tenant could pay for that would be 32*s.* an acre, including the house?—I think so.

3827. Was you present when James Farrell was registered?—Yes.

3828. And you know the individual?—Yes, that is his handwriting—[*looking at the certificate of registry.*]

3829. *Committee.*] I understand you cannot inform the Committee the quantity of land this man has?—I know it very well; seven acres one rood and something less than thirty perches; and each of the persons have the same, except one man.

3830. Was you present when he voted?—Not the last time he voted; I saw him in the booth; I did not see him vote.

3831. That very person?—Yes.

Cross-examined by Mr. *Robinson.*

3832. Did not most of the voters vote on that occasion; did not most of the persons on the register vote?—Yes; he first said he would not vote, and afterwards he told me he was obliged to vote.

3833. You say you are acquainted with this man, James Farrell?—Yes.

3834. Have you ever seen him write?—Yes.

3835. When?—I have seen him write within the last month.

3836. You have no doubt this is his handwriting?—I have no doubt of it.

3837. You have spoken about the house on this land; what account do you give of it?—I say it is a comfortable house.

3838. Is it not a very good house indeed?—It is not a very good house; it is seven feet high on the side-wall; it is comfortable, and he keeps it in good order.

3839. These leases that are renewable for ever, are they not usually at a low rent?—They are, but they were not originally made at a low rent.

3840. What do you know of what they were originally?—I know the history of it; it was to get a high rent he got a lease for ever.

3841. How long have you known Farrell?—I have known him since I was a boy.

3842. Has he lived at Ardagh all that time?—He has.

3843. On that estate?—On that farm.

3844. And his family with him?—Yes.

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3845. Did you ever canvass him to vote for anybody yourself?—I have asked him to vote.

3846. When was that?—I asked him to vote in 1833; I think I asked him to vote in 1818.

3847. Did he vote on the last occasion; I do not mean this one, but the former contest at Longford?—He did.

3848. And you have canvassed him since, have you; you say you canvassed him in 1818; is that the only occasion you asked him to vote?—I asked him in 1818, and I asked him at the last election.

3849. Mr. *Whitesides.*] My friend has asked you about the year 1818; was he a 10*l.* voter then?—No, only a 40*s.*

Examined by the *Committee.*

3850. In 1833 he was a 10*l.* freeholder?—He was.

3851. And you asked him to vote, because you thought he had a good vote?—I did not ask him whether he had a good or bad vote.

3852. You seem to be so well acquainted with the holding and value of his property, surely a respectable person like yourself would not ask a person to vote who you thought had not a good vote?—I never considered whether it was good or not; I was directed to ask every man that was on the register.

3853. Those seven acres are Irish measure, are they not?—Yes, they are.

3854. Will they not be near 10 acres English?—Nearly 11, I believe.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson,* re-called.

Examined by Mr. *Whitesides.*

Mr. *J. R. Richardson.*

3855. DO you know one James Farrell?—I do.

3856. Do you know the handwriting of James Farrell?—I have frequently seen him write.

3857. How near is James Farrell's place to yours?—By the road I dare say it is near a mile; by going over the fields at the rear of my own house, it is not more than half that distance.

3858. Do you know his farm?—I do.

3859. Do you know the quantity of land on it?—About seven acres.

3860. State to the Committee, from your knowledge of land, what the highest rent is which a solvent tenant could pay for that, including the house?—From 1*l.* 13*s.* to 1*l.* 14*s.* an acre, if it is the farm of the James Farrell I am speaking of.

3861. Do you know his handwriting?—I have some of his handwriting.

3862. Mr. *Robinson.*] Whose handwriting?—James Farrell's, whose farm I am speaking of.

3863. Mr. *Whitesides.*] Do you know that he is a voter, this James Farrell?—I do.

3864. And you examined his farm?—I did.

3865. How long have you known that farm and the man?—I have known the man as long as I have known any person; I have known the farm since I came to reside in my own place.

3866. According to your judgment and knowledge, the farm is not worth more than 1*l.* 13*s.* an acre?—1*l.* 13*s.* or 1*l.* 14*s.* an acre.

Cross-examined by Mr. *Robinson.*

3867. You say you know this James Farrell, and have known him long?—I have known him a long time.

3868. You have taken a considerable interest in the elections for the county?—In the election previous to the last, I took considerable interest indeed from the beginning to the end.

3869. Did you ask this person to vote?—I will not say I did at either of the last elections, because I knew it was hopeless.

3870. What do you mean by hopeless?—There was no chance whatever of his voting for the person I wished him to vote for, and moreover he was engaged on the opposite side as an agent in a booth.

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3871. *Committee.*] Did you canvass him in 1832?—I did not; I saw he was engaged in a booth on the opposite side.

3872. Mr. *Whitesides.*] Did you see him there yourself?—I did.

3873. *Committee.*] In your character as notice server, did you serve this man with a notice?—I did not; I mentioned that there were only two I served, and those two have been proved.

3874. Mr. *Robinson.*] What sort of house is it; is it a good one?—It is a comfortable cottage; rather a comfortable cottage.

3875. Is it not in good repair?—It is well thatched, and there are glass windows in it.

3876. Is the farm itself in good order?—I would not say the farm is in good order.

3877. In what respect is it not?—It is not laid out in good order, as I would call good order.

3878. *Committee.*] What might the value of the house be?—It has been built at different times; I dare say the house would cost 20*l.*

3879. What do you add to the acreage for the house?—In speaking of the value, I always take it with the house, just as a person holds it at present.

3880. Supposing the house not to be there, how much would you value it at per acre?—I think 30*s* would be a high rent without the house.

3881. Have you put on that rent with reference to the holding; do you know the tenure the man has?—I do, and on account of that tenure I increased the acreable value of it.

3882. How much did you increase it on account of the tenure it is held by?—I should say from 2*s.* to 3*s.* per acre.

3883. Did you judge of it from the rent at which you set land yourself?—I did; this very man holds land of me.

3884. What rent does he pay you?—Thirty shillings an acre.

3885. *Committee.*] Have you any of your property that is leased for ever?—No.

3886. Mr. *Robinson.*] Are there a father and son of the name of James Farrell? No, but there are two James Farrells; but they are not father and son, they are cousins of some sort.

3887. Is one considerably older than the other?—One is older than the other; both are tenants of mine; one is called James Farrell, senior, and the other James Farrell, junior.

3888. Give us any description of those persons by which we may know them?—James Farrell, junior, is a very tall man, and he is called Long Jim; and James Farrell, senior, is rather a short man, and he is called Little Jim.

3889. Mr. *Whitesides.*] Who is the voter here?—The voter here is Little Jim.

3890. Mr. *Robinson.*] Do you know them both?—I do; they are both tenants of mine.

3891. Did you see them vote?—I did not.

3892. How can you say the voter is the short man, and not the long?—I did not see them vote at the last election.

3893. Did you see either of them before the registering barrister?—I did; I saw the one I am speaking of.

3894. Is that the Little or the Long Jim?—The little one.

3895. Is that the man who occupied the land you describe?—He is.

3896. Mr. *Whitesides.*] That was in 1832?—It was at the time of the first Reform registry.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Whitesides.*

Andrew Johnstone.

3897. DID you serve a notice to produce on James Farrell, of Loughall?—I did.

3898. What day did you serve it?—Fifteenth February.

3899. On whom?—On himself.

3900. Do you know his person?—I do.

3901. Just describe him?—He is a small little man, and he is called Little Jim.

3902. Do I understand you served Little Jim personally with a notice to produce?—I did.

3903. Do

3903. Do you know his farm?—I do.

3904. Is it near Mr. Richardson's?—It is just adjoining it.

3905. Mr. *Robinson.*] What notice was it?—It was a notice on the 15th for the 28th.

3906. Mr. *Whitesides.*] You know the land, I understood you to say?—Yes.

3907. And the man?—Yes.

3908. Will you state to the Committee the best rent that a solvent tenant could afford to pay for Little Jim's farm?—About 1*l.* 12*s.*

3909. Now, including the house, what rent do you put on it?—I took the house into the calculation.

3910. Do you know the quantity?—Yes; something better than seven acres the roods and perches I do not know.

3911. Was you at the election?—I was.

3912. Was you present when this man voted?—I was not.

3913. Did you see him there?—I did; I saw him in the town of Longford I did not take any considerable interest in the election.

Cross-examined by Mr. *Robinson.*

3914. You say you served it on Little Jim?—Yes.

3915. Have you had any conversation lately about Little Jim with anybody?—No, not with respect to this business.

3916. Not this morning?—I do not recollect I have.

3917. You have had no conversation with anybody?—Mr. Richardson and I spoke on account of our going to view it together.

3918. When was it you had this conversation with Mr. Richardson?—This morning.

3919. How long ago?—It may be an hour ago.

3920. Was it less?—I cannot say.

3921. Will you swear that it was not less than an hour that you were talking to Mr. Richardson about serving this notice?—It is less.

3922. Will you swear you have not spoken to Mr. Richardson about it within ten minutes?—I will swear I was not speaking to him on the subject of Farrell's notice within ten minutes.

3923. Will you swear he was not speaking to you about it?—I am certain we have not, for the last ten minutes, had a word on the subject.

3924. Twenty minutes ago?—I do not think I have had three words of conversation with Mr. Richardson this half hour.

3925. *Committee.*] Did he speak to you after he came out of this room?—No, he did not.

3926. Mr. *Robinson.*] Was there any conversation about the service of the notice on Little Jim or Long Jim?—Not a word; because I was satisfied the notice was served on Little Jim, knowing the two persons.

3927. You say about seven acres; you mean James Farrell is in the occupation of seven acres?—Yes.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Mr. *Robinson* then proposed to call Mr. O'Connor; but the Committee stated they were of opinion the vote of James Farrell was a good vote, and must therefore be retained on the poll.

Mr. *Whitesides.*] The next is the vote of Timothy Cline; 23 on the poll, and 55 on the list of objections.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

3928. DO you produce the affidavit of registry of Timothy Cline?—I do.

[*The following Document was then put in:*]

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2d & 3d WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of his present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," on the 15th day of November

26 April 1837.

November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford appointed for that purpose; I, Timothy Cline, of Clonwit, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Clonwit, in the barony of Moydow, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 12th day of October in the year 1825; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Timothy Cline.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.

J. Doherty,
Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Timothy Cline, of Clonwit, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Clonwit, in the barony of Moydow, in this county.

Dated the 15th November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.

John V. Crawford,
Clerk of the Peace.

Certificate No. 1088.

James Ganly, called.

Examined by Mr. *Whitesides.*

James Ganly.

3929. LOOK at your note for Timothy Cline, of the barony of Moydow?—I have it.

3930. Were you present when he came up to register?—Yes.

3931. Was he objected to on the ground of value?—Yes.

3932. What quantity of land did he swear he held, and what rent did he swear he paid?—Sixteen acres and three roods, and paid 28 *l.* yearly; valued it at 45 *s.* or 46 *s.* per acre.

Cross-examined by Mr. *Robinson.*

3933. Do you recollect any discussion taking place as to the value?—I have no recollection about it.

3934. You have no recollection of any particular discussion about it?—No; I have no recollection of that.

[*The Witness was ordered to withdraw.*]

Thomas Morrsion, called.

Examined by Mr. *Whitesides.*

Thomas Morrison.

3935. DID you serve a notice to produce on Timothy Cline?—I did.

3936. What day did you serve it?—On the 1st of April for the 11th of April.

Cross-examined by Mr. *Robinson.*

3937. Did you give it to him personally?—Personally in the town of Longford.

[*The Witness was ordered to withdraw.*]

Ambrose Bole, sworn.

Examined by Mr. *Whitesides.*

Ambrose Bole.

3938. CAN you tell me on whose estate Timothy Cline's farm is?—Minor Jessop's.

3939. In the county of Longford?—Yes.

3940. Do you say he is a minor?—I mean to say he is a minor.

3941. Are

Ambrose Bole.
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3941. Are you the agent of the estate?—My father and I are.
3942. Do you know Timothy Cline, of Moydow?—I do.
3943. Is he a tenant on that estate?—He is.
3944. What quantity of land has he?—Sixteen acres three roods thirteen perches.
3945. What rent does he pay?—Twenty-eight pounds five shillings and two-pence.
3946. Does he pay his rent?—Why, he does; but I had occasion to serve an ejectment on him, and I had occasion to get him drove, his cattle distrained.
3947. Was there an ejectment more than once?—Not by me.
3948. State to the Committee what you believe to be the highest rent a solvent tenant could afford to pay for that farm?—On my oath, if I had the farm to let, I think the highest rent a solvent tenant could pay would be from 35 *s.* to 36 *s.* an acre.

Cross-examined by Mr. *Robinson.*

3949. What is your age?—My age is twenty-five years next July.
3950. How long have you been in the habit of valuing land?—Seven or eight years.
3951. For whom?—Eight or ten different gentlemen.
3952. On what occasion?—I am a land-agent, and I receive from 8,000 *l.* to 10,000 *l.* a year rent.
3953. On what occasions have you valued land, and who employed you to value land?—Several gentlemen.
3954. Between landlord and tenant?—Yes.
3955. What landlords have employed you?—Mr. Shouldham, Mr. Jessop, Mr. Galbraith, Mr. Henderson and Dr. Barker.
3956. Those persons have employed you to fix a rent upon farms which they let?—Certainly.
3957. You know this farm, and the land about it?—I do, well.
3958. Do you know a good dwelling-house and suitable offices there well?—I do not.
3959. Do you know any dwelling-house and offices there?—I know a very indifferent dwelling-house on it; as to offices, I would as soon have no offices; he lives within a mile of where my father resides.
3960. *Committee.*] You are agent for this property?—My father and I.
3961. Does this man hold under a lease?—Yes.
3962. What is the term of that lease?—The lease is here, and if I see it I could tell you; it is amongst the papers; I brought over all the leases.
3963. Is that a counterpart of the lease?—Certainly.
3964. *Committee.*] Is the lease in your possession an executed document by the landlord and tenant?—I think it is.

Mr. *Robinson* contended that the lease or the counterpart of it must be produced, and that parole evidence of its contents was not admissible.

Mr. *Whitesides* was heard in answer to the objection.

The *Committee* decided that the counterpart of the lease must be produced.

3965. Mr. *Whitesides.*] Is that the lease?—[*handing a document to the Witness.*]—That is the lease; I got it from amongst the papers belonging to Mr. Jessop.
3966. *Committee.*] What quantity does it state, and what rent?—It states, "containing 16 acres 3 roods 13 perches, be the same more or less."
3967. At what rent?—The yearly rent 30 *l.* 12 *s.* 4 *d.*, Irish currency.
3968. How much is that in English currency?—Twenty-eight pounds five shillings and two-pence.
3969. For how many years?—Fourteen years from 29th September 1825.
3970. Is there any condition in that lease as to renewal?—I do not think there is.
3971. Mr. *Whitesides.*] Is there any life mentioned in that lease?—His own life, or fourteen years; there is no clause for renewal in it.
3972. Are the acres English or Irish?—Irish.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Jovis, 27° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

27 April 1837. THE names of the Committee were called over; all present.

Mr. *Andrew Johnstone*, sworn.

Examined by Mr. *Wrangham*.

Mr. *A. Johnstone.* 3973. DID you go to value the land of Timothy Cline?—I did.

3974. What was the highest value that you put on that per acre, as a rent which a solvent and responsible tenant could fairly afford to give?—I do not think a solvent tenant could give more than 1*l.* 12*s.*; but Mr. Bole and I did not exactly agree; he put it something higher, and every thing above 1*l.* 12*s.* I should say would be a rack-rent.

Cross-examined by Mr. *Robinson*.

3975. You merely examined this in the usual way you have been examining throughout?—I examined it in that way as if I were going to take it myself; I looked at it in the same manner.

3976. But you knew nothing about the land before?—I did.

3977. Do you mean to say you were previously acquainted with it?—Not previously acquainted, but from a general knowledge of it.

3978. A casual observer?—Just so; there is very little land in my neighbourhood that I have not a knowledge of.

3979. Has this man any family?—I believe he has.

3980. Do not you know he supports himself and his family on that farm?—His family must be small, for he has but a small cabin, and half is set to a workman.

3981. Has he a family?—I believe he has.

3982. Did you serve him with a notice?—I did not.

3983. Did you see him when you were viewing his land?—No.

3984. Did you ask to see him?—No; Mr. Bole was his agent; he knew the land, and knew every thing about it; we had always the driver of the estate with us; it is a very miserable farm indeed.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Mr. *Francis Davies*, sworn.

Examined by Mr. *Austin*.

Mr. *F. Davies.* 3985. DO you know Cline's occupation; do you know Timothy Cline?—I do.

3986. Do you know the farm he occupies?—Yes, I have been on it; I know it.

3987. Are you enabled to state what, in your opinion, a solvent tenant would be able to pay for that farm?—I think a solvent tenant would pay for it, including the house that is on it, about 2*l.* 5*s.* an acre.

3988. Did you go over the farm?—I did.

3989. You went over it for the purpose of valuation?—I did.

3990. And in your opinion it is of that value?—I think so.

3991. The whole occupation?—Yes, the whole.

3992. Is the house a proper house for the occupation of the farm?—It is a snug farm-house, a comfortable farm-house.

3993. Is it more than is necessary for the occupying such a farm?—I think it is suitable for such a farm.

3994. Then, taking the whole occupation together, you are of opinion it is worth 2*l.* 5*s.* per acre?—I think so.

3995. Now the question I asked you was, how much in your opinion a solvent tenant could pay?—I think a solvent tenant could pay that for it.

3996. I suppose you think a couple of guineas an acre would be within the mark?—Of course it is worth a couple of guineas an acre; it is worth more than 2*l.* 2*s.*, for it is worth 2*l.* 5*s.*

Cross-

Cross-examined by Mr. *Whitesides*.

Mr. *F. Davies*.

27 April 1837.

3997. You are quite right; if it was worth 2*l.* 5*s.* it was worth 2*l.* 2*s.*?—Yes.

3998. You say the house is suitable to the farm?—Yes.

3999. Is the farm suitable to the house; is the farm in good order?—It is in good order.

4000. And a solvent tenant, do you think, would pay 10*l.* a year for that?—I do.

4001. Would you be surprised to hear that the tenant that is on it could not pay the rent?—I really cannot tell.

4002. Is he a solvent tenant himself?—I cannot tell.

4003. Do you think a man could pay 10*l.* for it more?—I think an industrious man could pay 10*l.* more.

4004. You think that, although this man pays 10*l.* less, and does not pay his rent?—I do.

4005. Which do you think he would be most likely to pay, 2*l.* 5*s.* or 2*l.* 2*s.*?—I think an industrious man would be able to pay 2*l.* 5*s.* an acre for it; it is situated within four miles of one of the best market-towns in that part of the country; it is four or five miles from one of the best corn-market towns in that country.

4006. Mr. *Austin*.] What is the name of that town?—Longford.

4007. Mr. *Whitesides*.] Which would be the best, 2*l.* 5*s.* or 2*l.* 2*s.*, for a solvent tenant to pay?—The smallest rent of course would be the best.

4008. If that farm was to be let again to-morrow, the agent or owner of that estate would get 10*l.* a year more for it?—I think, if it was to be set to-morrow, a solvent tenant could be got to pay that for it.

4009. Did you ever set a farm in the county of Longford?—Yes.

4010. For a gentleman?—I never set a farm except for myself.

4011. Did you ever set a farm between landlord and tenant in that county?—I never set land except for myself; and I have set a great deal of worse land than that at 2*l.* 2*s.*

4012. And a solvent tenant does pay it?—He does.

4013. *Committee*.] Does Cline occupy the whole of the house?—He does.

4014. He does not underlet?—No; he has none of his dwelling-house underlet.

4015. What sort of a house is this?—It is a comfortable farm-house.

4016. What rent do you put on this house by itself; how much do you add to the land for the house; what did you value the house at?—I added about 3*s.* an acre to the land.

4017. And how much would this house cost building; you told us what another house would cost the other day; I suppose you are skilful?—I am not very well skilled in building houses.

4018. How much would this cost?—About 10*l.*

4019. Is it new?—No, it is not new; it has been built some time.

Mr. *Joseph M'Gaver*, sworn.

Examined by Mr. *Austin*.

Mr. *J. M'Gaver*.

4020. YOU are a farmer in the county of Longford?—Yes.

4021. And you are acquainted with the value of farming occupations there?—Yes, I am.

4022. Do you know Timothy Cline?—I do.

4023. Do you know his farm about four or five miles from Longford?—It is about four.

4024. Longford is a good market-town, we hear; is that so?—It is.

4025. I suppose it is desirable to have a farm near a town of that description?—It enhances the value of it.

4026. Do you know Cline's occupation?—He is a farmer.

4027. Do you know where he lives?—I do.

4028. And do you know his farm?—I do; I was in his house.

4029. And have you valued the land?—Yes, I have.

4030. Now did you value it with reference to what a solvent tenant could afford to pay for it per acre?—The land is naturally good; and I think a solvent tenant could pay 2*l.* 5*s.* an acre for it.

4031. Now you say you are a farmer yourself?—I am.

4032. How much do you occupy?—One hundred and six acres.

 4033. Where

Mr. *J. M'Gaver.*

27 April 1837.

4033. Where is your occupation, your farm?—In T——, about three miles from Cline's farm; between three and four.

4034. I suppose you are well acquainted with that country?—Yes.

4035. And the value of land there?—Yes.

4036. And have been so, how long?—For 16 or 17 years.

4037. And you have no doubt a solvent tenant might pay 45 *s.* an acre for this land?—I should be glad to get it at that.

Cross-examined by Mr. *Wrangham.*

4038. You say 2 *l.* 5 *s.* an acre?—Yes.

4039. You do not think it would let for 10 *l.* more than the rent is, then?—I think it would.

4040. How do you make that out; 2 *l.* 6 *s.* an acre would not do it?—I did not calculate it.

4041. Do you mean to say you never calculated how much 2 *l.* 5 *s.* an acre would come to?—I never did.

4042. You never calculated that?—Never.

4043. Of course you did not know what the rent was?—I think I did, for I saw the lease.

4044. What did you want to see the lease for?—I asked the wife for it when I went, and she showed it to me.

4045. I asked you why you wanted to see it, and you say you asked the wife, and she showed it you; I repeat my question, why did you want to see the lease?—To know the rent he paid.

4046. And why did you want to know the rent he paid?—Because he himself was not at home to give me the information.

4047. I ask you why did you want to know the rent he paid?—I cannot say; I think it was for the purpose of seeing what rent he paid, and to give evidence before this Committee.

4048. Why did you want to know the rent?—To give evidence here.

4049. You did not come here to give evidence as to the rent he paid; you came here to give evidence as to the value; why did you want to know what rent the man paid, when you went to value his farm?—We did wish to know it in every place we could.

4050. I want to have your reason why did you do it?—I did it for the purpose of valuing the land, and giving evidence here.

4051. And therefore knowing what rent he paid was a mode of ascertaining the value of the land?—I do not know that.

4052. You say it was with a view to give evidence here?—Yes.

4053. You knew, then, it was necessary he should have 10 *l.* over and above the rent he paid?—I never calculated whether it was or not.

4054. Did you know it was necessary he should have 10 *l.* over and above the rent he paid, in order to have his vote?—Yes, I did.

4055. And you inquired for the rent, for the purpose of coming and giving evidence here?—I did.

Re-examined by Mr. *Austin.*

4056. Did you ever value other property?—Yes.

4057. Did you ever value other property in your life, without ascertaining what the rent was?—At every place where we could get the lease, we got it.

4058. Did not you always ask what the rent was the man paid?—To be sure we did, if we could come at it at all.

4059. That is one of the questions you always ask?—Yes.

4060. *Committee.*] When did you value this land?—The 4th of February.

4061. Previous to last February did you ever value land before?—No, I never did.

[*The Witness was ordered to withdraw.*]

The Committee-room was then cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Timothy Cline be retained on the poll."

Mr. *Wrangham.*] The next is the vote of Christopher Dowd; 54 on the list, 24 on the poll.

4062. Mr.

Mr. *John V. Crawford,* called.

Mr. *J. V. Crawford.*

27 April 1837.

4062. Mr. *Wrangham.*] DO you produce the affidavit of Christopher Dowd?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds.

AT a Civil Bill Court, held at a general session of the peace, holden at Ballymahon, in and for the county of Longford, on the 4th day of July in the year of our Lord 1831, I, Christopher Dowd, of Clonert, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from a house and land, of the clear yearly value of 10 *l.*, above all charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Clonert, in the barony of Moydow, in this county; and that a solvent and responsible tenant could, as I verily believe, afford to pay for the same, as an additional rent, fairly and without collusion, the annual sum of 10 *l.*, over and above all rent to which I am liable in respect thereof; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease and instrument which I now produce, bearing date the 23d day of July in the year 1824; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the said freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county; and that I do not hold my said freehold by virtue of any lease, deed or instrument executed or made after the first day of July 1823 to any person or persons, jointly, in common, or in partnership. So help me GOD.

Christopher Dowd.

Sworn and subscribed before me, in open Court,
this 4th day of July 1831,
Geo. French,
Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Christopher Dowd, of Clonert, farmer, was this day duly registered before me, as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Clonert, barony of Moydow, in this county. Dated this 22d day of October 1832, at Longford.

J. F. Fosbery,
Deputy Assistant Barrister.
John V. Crawford,
Clerk of the Peace.

Certificate No. 286.

Arthur A. Griffiths, sworn.

Examined by Mr. *Wrangham.*

A. A. Griffiths.

4063. I THINK you stated you were present at the registry of Longford in 1832 at the October sessions?—Yes, I was.

4064. Do you remember Christopher Dowd coming to be registered?—Yes, I do.

4065. He came up, I believe, under an old affidavit, under an old certificate?—Yes.

4066. Was he objected to?—I objected to him before the Assistant Barrister; the Assistant Barrister said he was confined; he could not hear the objection, as the man came up under an old certificate; I urged it, and he said he was confined, and the Assistant Barrister could not receive the objection.

4067. *Committee.*] There was an objection made?—There was; I made it.

4068. You were an agent?—I was.

4069. You took an objection to the voter who came up upon an old certificate previous to the Reform Bill, to be registered?—Yes; the man relied on his old certificate, and the question of value could not be gone into.

4070. But you did object on the ground of value?—Yes, I did.

4071. But the revising Assistant Barrister could not take the objection?—He could not.

4072. Mr. *Robinson.*] You are on the registry yourself?—Yes, I am.

[*The Witness was ordered to withdraw.*]

William Morrison, sworn.

Examined by Mr. *Whitesides*.

William Morris

27 April 1837.

4073. DID you serve a notice to produce upon one Christopher Dowd?—I did.

4074. On himself?—On himself personally.

4075. When was that?—The 1st of April for the 11th.

4076. Did you take a memorandum at the time you served this notice?—Yes, I did.

4077. Have you got it with you?—Yes.

[*The Witness was ordered to withdraw.*]

Ambrose Bole, sworn.

Examined by Mr. *Whitesides*.

Ambrose Bole.

4078. DO you know the farm of Christopher Dowd?—I do well.

4079. Is it near your residence?—Yes, within a mile.

4080. Are you the agent receiving the rent of this farm?—My father and I.

4081. What rent does he pay?—Twenty-one pounds, fourteen shillings and ten-pence.

4082. What is that per acre?—One pound five shillings and eightpence.

4083. By the *Committee.*] How many acres were there?—Sixteen acres three roods sixteen perches.

4084. At 1*l.* 5*s.* 8*d.* an acre?—Yes.

4085. Do you know the value of the land to let?—I do, well.

4086. What is the highest rent which you think a solvent and responsible tenant could fairly afford to give per acre for this land?—On my oath, I think the highest rent a solvent and responsible tenant could afford to pay for this land, if it was let to-morrow, would be from 1*l.* 8*s.* to 1*l.* 10*s.* an acre.

4087. Did you see the voter?—I did, and he told me he never would have registered.

Mr. *Robinson* objected to any statement made by the voter to this witness being received as evidence.

Mr. *Wrangham* was heard in answer to the objection.

Committee-room was cleared; upon Counsel and Agents being called, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the Counsel do proceed in the examination of Mr. Bole."

Ambrose Bole, re-called.

Examined by Mr. *Wrangham*.

4088. What did Christopher Dowd say to you?—He told me he never would have registered, only he was forced to do it, and he never did an act that he regretted more.

4089. *Committee.*] Did he give any reason for that; did he say why he would not have registered?—Yes, he said he thought his farm was too dear, and he paid enough for it, and that he had two farms, and it was only for the cheap place he had at C—— that he could go on as well as he did.

4090. C—— is another place?—Yes.

4091. *Committee.*] You are agent for the landlord?—Yes.

4092. Mr. *Robinson.*] Then you say that the tenant said he paid too much rent, or he said that he paid enough for it?—Yes.

4093. Tenants generally think so?—Indeed they do.

4094. Do you know whether he voted at the former election?—I do.

4095. Did he?—He did.

4096. He voted at the last election in 1832?—Yes, I think he did.

Re-examined by Mr. *Wrangham*.

4097. My friend says that tenants usually say their rents are too high; do landlords' agents generally agree with them?—No.

4098. You do agree with him?—Yes.

4099. *Committee.*] You produce the lease of Cline; have you got the lease of this person?—Not in my possession now.

4100. Is

4100. Is it in London?—I believe it is.

Ambrose Bole.

4101. Whom did you give the lease to of this property?—To the agent, Mr. Courtenay, at Longford.

27 April 1837.

4102. You did not bring this lease with you to London?—On my oath I did not.

Cross-examined by Mr. *Robinson.*

4103. I think you said the rent was 1*l.* 5*s.* 8*d.* an acre?—As near as I can recollect.

4104. Have you seen the rent paid?—I did receive it.

4105. And you think the value is from 1*l.* 8*s.* to 1*l.* 10*s.* an acre?—That is the very highest value; it is the worst farm in the townlands; it adjoins a bog.

4106. In what state of cultivation is the farm?—In a very poor state.

4107. That you swear?—Yes, I do; the principal part of it adjoins a bog; there are three acres measured on it, and there are ten floors of turf.

4108. I suppose it is not a tenant field; the land is low; in what way does he cultivate it; is he an industrious man?—A very industrious man.

4109. Does he support his family there?—Yes, he does.

4110. How long has he been there?—Seven or eight years.

Re-examined by Mr. *Wrangham.*

4111. Has he another farm somewhere else?—I have heard mention of it.

4112. And that goes also to the support of his family?—Yes, it does.

4113. *Committee.*] You never had to distrain upon or drive Dowd for his rent?—I never had to do either the one or the other against him.

[*The Witness was then ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Wrangham.*

4114. DID you go to value Christopher Dowd's farm?—I did.

Andrew Johnstone,

4115. Were you acquainted with that farm before?—Not particularly.

4116. You went there to value it?—I did.

4117. Did you examine it carefully?—I walked over the fields.

4118. What is the highest rent you think a solvent and responsible tenant could afford to give for it per acre?—One pound ten shillings an acre.

4119. That you think the very highest?—Yes, I do, and the man thought so himself; he said he paid the highest value for it, and he never would have registered but for intimidation and dread of his life.

Cross-examined by Mr. *Robinson.*

4120. Did he tell you he voted in 1832 from intimidation and fear of his life also?—He did not.

4121. How long might you have been on this land walking over it?—I suppose an hour.

4122. How many acres should you suppose there are?—I cannot exactly say.

4123. I do not ask; how many do you suppose there are?—I suppose something about 13 or 14 acres; I cannot exactly say the number of acres.

4124. February is not a very favourable time for valuing land, is it?—It was rather wet; it was a wet season.

4125. Is the land high or low?—There is part of it very low; it is rather calculated for rearing farm as stock than it is for tillage, if the man was able to stock it.

4126. Did you know, when you went, what rent he paid?—No.

4127. *Committee.*] Did you see any stock on it?—Yes.

4128. A good deal?—Not a good deal; there were a couple of cows, as well as I can recollect, and he pointed out to me on the side of his farm about three acres of bog which he was obliged to pay rent for.

4129. *Committee.*] Who was with you?—Mr. Bole, the man himself, and the driver to the estate.

4130. Which side does the driver to the estate belong to in politics?—I really cannot answer that question.

4131. You do not know?—I do not know.

Andrew Johnstone.

27 April 1837.

4132. You will swear that?—I never knew the man in my life before; he is a Roman Catholic, and it was with a great deal of reluctance he went along with me and Mr. Bole.

4133. Did Christopher Dowd know what party you belonged to?—I believe he did; there are very few in the county that do not know my politics.

4134. And I dare say he knows Bole's too?—I dare say he did.

4135. How many cows do you venture to swear there were?—There were two, I think.

4136. Will you swear there were not four?—There were but those that belonged to others.

4137. How do you know that?—They were other tenants.

4138. How do you know whose they were?—He told me so.

4139. You asked him?—I asked him whether they were all his cows, and he said not.

4140. How many did you see?—I saw two on his farm; I think but two.

4141. I asked you whether you saw more than two on the farm, and you say there were others?—There were others adjoining his farm.

4142. I ask you whether you will swear you did not see four on his farm?—I will not.

4143. Did you see more than two on the farm, the common attached?—I saw more than two on the common attached to that farm.

4144. You mean on the commonage belonging to his farm?—On the commonage; they all graze on common; there are five or six tenants whose farms run into the bog, and there are no meerings in the bog, although the bog is surveyed in with it, and they generally run their cattle on common.

4145. There is no division upon it?—Not on the common.

4146. You only saw two cows on his farm?—I think so.

Re-examined by Mr. *Wrangham.*

4147. I understand you, there is a quantity of bog which is not set out by fences?—There is.

4148. And although each tenant pays for a certain number of acres of this bog, they graze on it in common?—Yes; they do complain very hard that it was surveyed in where they cut the turf, what they paid their rent for.

[*The Witness was then ordered to withdraw.*]

Mr. *Wrangham.*] That is our case against the vote.

Francis Davies, called.

Examined by Mr. *Robinson.*

Francis Davies.

4149. YOU have been examined before?—Yes.

4150. Do you know the farm of Christopher Dowd?—I do.

4151. When did you value it; or did you value it?—Yes; I have been on the farm.

4152. When did you go on the farm?—I think it was the first week in February; I do not exactly recollect the day.

4153. Was any one with you?—There was.

4154. Who was it?—M'Gaver.

4155. What is a fair rent for that per acre?—I think the farm and house and improvements upon it are worth 42*s.* per acre.

4156. Is that what you think a solvent tenant would be able to pay for it?—I do.

4157. Do you know Christopher Dowd at all?—Yes.

4158. Is he an industrious, active man?—He has that character in the country; I know he is an industrious man from the state of his land.

Cross-examined by Mr. *Whitesides.*

4159. How many farms did you happen to value on this business?—About 30, I think.

4160. Did you take a note of your valuation?—I did.

4161. Where is it?—It is at my lodgings.

4162. When did you see it last?—Yesterday.

4163. Did

Francis Davies.
27 April 1837.

4163. Did you refer to the entry in connexion with this farm yesterday?—I did.

4164. You have not brought it here?—No.

1465. Why not?—I did not bring it here, because I thought it unnecessary to encumber myself with it.

4166. Is it a large book?—No; a small book.

4167. Then the encumbrance would not be very great?—It would not.

4168. *Committee.*] Will you bring it when you come again?—I will.

4169. Mr. *Whitesides.*] Why did you not bring it with you?—I did not see any necessity for bringing it.

4170. You required to refresh your memory from a note, and that note is not forthcoming?—Not now.

4171. Mr. *Robinson.*] Did anybody ask you to bring it?—No.

4172. Mr. *Whitesides.*] You have chosen to leave it at home?—If I thought I should have been asked for it, I would have brought it.

4173. Will you swear you have not looked at it this morning?—I will swear I have not seen it this morning.

4174. How can you be sure what the entry was, if your memory depends upon the entry?—It does not entirely.

4175. Is it, or not, from having refreshed your memory by looking at the book, that you are able to speak to it?—I am sure I know the value of the ground without looking at the book.

4176. Then why did you look at the book?—To make sure doubly sure; I can give you the document if you choose.

4177. *Committee.*] Where do you lodge?—In Hemming-street, in the neighbourhood of Charing-cross.

Mr. *Whitesides* submitted that the book ought to be produced.

Mr. *Robinson* objected.

The *Committee* were of opinion that the book should be produced.

4178. Mr. *Whitesides.*] You say this man is an industrious man, and maintains his family?—Yes.

4179. Do you know him very well?—Yes.

4180. Do you know whether he has any other farm?—I do not know it.

4181. You know him perfectly well?—I do.

4182. You do not know whether he has any other farm elsewhere?—I do not know.

4183. You do not know how far any other farm may help to maintain his family?—I do not know whether he has another farm or not.

4184. Do you call that knowing the man perfectly well?—I may know the man, and be acquainted with him, and still not know all the land he has.

4185. You say you know him perfectly well, and yet you do not know whether he has a farm elsewhere or not?—I know him to have the character of an industrious man, but I do not know the number of acres he holds.

4186. You did not know the fact of his having another farm at another place?—I did not.

Re-examined by Mr. *Robinson.*

4187. You do know this farm that he has at Clonert?—Yes.

4188. And I understand you to say that it is worth two guineas an acre?—Yes; it has a very good house and offices upon it, and I think 700 or 800 trees planted upon it, for which he is registered.

[*The Witness was ordered to withdraw.*]

Joseph M'Gaver, called.

Joseph M'Gaver.

Examined by Mr. *Robinson.*

4189. YOU were examined this morning?—Yes, I was.

4190. Did you go with the last witness to look over the farm of Christopher Dowd?—I did.

4191. Did you look over it carefully?—I did.

4192. How near is it to Longford?—About three miles; between three and four miles.

Joseph M'Gaver.

27 April 1837.

4193. What sort of a residence is there upon it?—A very comfortable house; the house is very snug.

4194. What should you say was the value of this farm per acre?—I think 2*l.* an acre.

4195. Did you see any stock on it?—I saw four cows and some sheep on it.

Cross-examined by Mr. *Wrangham.*

4196. Did you know this farm before?—I was never on the land before.

4197. Did you know the man before?—I did know the man before.

4198. And voted with him?—I did.

4199. How many farms did you go over?—A great many; most in the barony of Moydow.

4200. How many?—I cannot recollect.

4201. Were there five or 500?—Not 500.

4202. Were there 100?—There were not 100.

4203. Were there 90?—Not 90.

4204. Eighty?—I think not.

4205. Seventy?—I think between 35 and 40, to the best of my opinion; I am not sure.

4206. Where were these farms?—Generally in the barony of Moydow, and I am acquainted with the whole of them.

4207. You never were on this farm?—Never before.

4208. Did you take a note of the value?—I did.

4209. Where is it?—It is in my travelling bag, at my lodgings.

4210. Where are your lodgings?—I cannot remember the name of the street.

4211. Can you not remember where you have been lodging?—I forget the name of the street; I have it down on a piece of paper; it is Hemming-street.

4212. When did you last look at the memorandum as to the value of this farm?—This morning.

4213. At what hour?—Before nine o'clock.

4214. Before nine you looked at the memorandum, but you have not brought it with you?—No.

4215. You did not recollect where you lodged?—I could not recollect the name of the street.

4216. Did you know the rent when you went over this farm?—No, I did not; the man told me at Longford the rent he paid for it.

4217. How did you happen not to ask for the lease?—The man was not at home, and his wife knew nothing about it.

4218. You did ask for it?—Yes.

4219. Was that before you went to value?—No, after we came in, and went into the house.

4220. For the purpose of knowing what the rent was, you asked for the lease?—I did.

Re-examined by Mr. *Robinson.*

4221. When did you first come to London?—I have been here a fortnight.

4222. Have you always lived in the same lodgings?—No, I have changed them.

4223. When?—Yesterday.

4224. Were you ever in London before?—No.

4225. You do not know the streets as well as in Longford?—No.

4226. Mr. *Whitesides.*] Do you and Davies lodge together?—Yes, in the same place, for the last four nights.

[*The Witness was ordered to withdraw.*]

The Committee-room was then cleared; and on Counsel and Agents being called in, the Chairman informed them that the Committee had come to the following resolution:—

"That the vote of Christopher Dowd be affirmed."

Mr. *Whitesides.*] The next vote we object to is the vote of Michael Sweeny; 364 on the poll, and 38 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. *J. V. Crawford.*

4227. DO you produce the affidavit of registry of Michael Sweeny, of Drumming?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2d & 3d WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Michael Sweeny, of Drumming, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Drumming, and barony of Moydow, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 12th day of January in the year 1795; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court, this 22d day of October 1832, *Michael Sweeny.*

J. F. Fosbery,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Michael Sweeny, of Drumming, of this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Drumming, and barony of Moydow, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery,
Deputy Assistant Barrister.

Certificate No. 1029.
Paid.—*Flood.*

John V. Crawford,
Clerk of the Peace.

George Gardiner, sworn.

Examined by Mr. *Wrangham*.

George Gardiner.

4228. WERE you present at the Reform registry when Michael Sweeny came up to be registered?—I was.

4229. Was he objected to on the ground of value?—He was.

4230. What did he swear out of?—Nine acres one rood.

4231. At what rent?—Ten pounds, eight shillings and three-pence yearly rent, which is 1*l.* 1*s.* 11*d.* the acre.

4232. Mr. *Robinson.*] Was there any discussion as to the value?—There was.

4233. Witnesses examined?—No.

4234. No witnesses examined?—No.

4235. Those who opposed the claim did not bring forward witnesses?—No.

4236. There was a discussion about the value?—There was.

4237. Mr. *Wrangham.*] The voter himself was examined?—He was.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Wrangham*.

Andrew Johnstone.

4238. DID you serve a notice to produce his lease on Michael Sweeny, of Drumming?—On his son.

4239. Where?—At his door.

Andrew Johnstone.

27 April 1837.

4240. At his house?—Yes.

4241. When did you serve it?—The 15th of February.

4242. Did you at the time value the land?—I did.

4243. Had you known the farm before?—Yes.

4244. For how long had you known it?—Fifteen or twenty years.

4245. What is the highest value which you think a solvent and responsible tenant could afford to pay for it?—The very utmost I think he possibly could, would be 1*l.* 7*s.* an acre; it is known more by the name of the Scrub of Drumming.

4246. Translate that in the vernacular; what does Scrub mean?—It is low, wet, marshy, and covered with bushes.

4247. And 1*l.* 7*s.* is the very highest rate you think a solvent tenant could (f)d to pay for it?—Yes.

4248. What sort of house is there upon it?—An old house.

Cross-examined by Mr. *Robinson.*

4249. What age is his son?—About 19 or 20 years of age; he was a young man.

4250. How did you know that he was his son?—He told me so.

4251. Had you known him before?—No.

4252. Were you on the land?—I was on the land, and he walked over the land with us, and showed it us.

4253. He told you he was his son?—Yes.

4254. How long were you in making the valuation?—From half an hour to an hour; I cannot say how long; it is a small farm, and did not take us long to go over it.

4255. Did you see any stock on the farm?—No.

4256. You did not see any?—No, I did not see any.

4257. How far is this from Longford?—I suppose it cannot be less than five or six miles; I think it is nearly six miles.

4258. At the same time you valued it in February?—The very same day.

4259. The son did not object to your valuing it?—No.

4260. Do you not know whether this person voted at the last election for 1832?—I do not know; I was only one day at the election, and then not for election purposes, but on business.

4261. You do not know it?—I know nothing about it.

[*The Witness was ordered to withdraw.*]

Mr. *James R. Richardson,* called.

Examined by Mr. *Wrangham.*

Mr. *J. R. Richardson.*

4262. DID you go to value the farm of Michael Sweeny, of Drumming?—Yes.

4263. Whom did you go with?—Mr. Johnstone.

4264. What is the highest rent, in your judgment, which a solvent and responsible tenant could afford to pay for this farm?—Twenty-seven shillings an acre.

4265. Have you a knowledge of this farm?—Yes; independently of seeing it on this day, I knew it before.

4266. Is it near the farm of Ledwith, whose vote was disposed of the other day?—Not very far from it.

4267. Do you consider it as good land, better land, or worse land than Ledwith's?—

Mr. *Robinson* objected to the question.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Robinson* replied.

The *Committee* were of opinion that the question should not be put.

Cross-examined by Mr. *Robinson.*

4268. You did not serve a notice in this case yourself?—I did not.

4269. What stock did you see on the farm?—I did not see any stock, except two cows, on the farm; the man might have more stock.

4270. You did see two cows?—I think I did; I am not quite sure.

[*The Witness was ordered to withdraw.*]

Francis

Francis Davies, called.

Examined by Mr. *Robinson*.

Francis Davies.
27 April 1837.

4271. DID you examine the land of Michael Sweeny, of Moydow?—I did.
4272. When was it?—It was some time in February; I do not recollect the day.
4273. Whom did you go with?—With M'Gaver.
4274. Did you go very carefully over the land?—I did.
4275. What value did you put upon the land to be let by the acre?—I considered it very good land, worth two guineas an acre, with the house and improvements on it.
4276. Do you think a solvent tenant would give that for it?—I do indeed.

Cross-examined by Mr. *Whitesides*.

4277. You have valued land, Mr. Davies?—Yes.
4278. Did you ever hear that this was called the Scrub of Drumming?—Never.
4279. Do you know the country; do you live there?—No, I do not.
4280. You do not know that it is called the Scrub of Drumming?—I never heard it.
4281. Have you got a book?—I have.
4282. How far do you live from Drumming?—About eight or nine miles; I do not know the exact distance; it is about that.
4283. Just point out the part in your book; where did you get this book?—I got it from my trunk now, when I went for it about half an hour ago.
4284. Have you looked over it carefully since you got it?—I did not; I looked at that entry yesterday evening; I looked at my note on Sweeny's farm.
4285. Have you, since you have been for this book, in any way, by erasure or tearing out a leaf or part of a leaf, altered this book in any respect whatever?—In no respect whatever; I did not make any alteration.
4286. Has it been in your own hands or pocket ever since you went to fetch it?—It has.
4287. It has never been in the hands of M'Gaver, for instance?—Never, to my knowledge; he never had that book in his hands.
4288. You say to your knowledge; has it ever been in his hands or not, on your oath?—Upon my oath, I do not recollect it ever was.
4289. I am asking you as to a transaction within half an hour; upon your oath, has it been in the hands of M'Gaver within half an hour?—On my oath, it has not.
4290. When was this piece torn out?—The first day; I did not intend to tear out so much; I put a mark upon the note I had of the man whose farm I was examined upon.
4291. I ask you why you have now, before you put this book into my hands, Michael Sweeny being then next to the case of Ledwith, why you have torn out the whole of the memorandum which relates to the value in Ledwith's case?—I have not done that to-day.
4292. Why did you do it?—I thought it was useless; I did not intend to take so much out.
4293. Why did you tear out the bottom of this page, which takes out the whole of the value of Ledwith's house, when it happens to be the next in position to Sweeny's case, which is now before the Committee?—I took it out merely to mark the day that I was examined on that, and the day on which I was examined.
4294. And you forgot there was another vote on the other side?—I did not recollect that when I tore it out.
4295. You have been examined on other votes; have you torn out any other besides this one?—I have not been examined on any other vote, except the two I have been examined on to-day, and Ledwith's.
4296. How often have you been in this room to be examined?—Never but once before to-day, I think, I was examined only in one case before to-day.
4297. One case before this day?—I think so.
4298. I ask you whether you have, in any case in which you have been examined, torn out all that portion which gives you the valuation you have put on the land?—That is the only case in which I have been examined before this day.
4299. And that happens to be the case which is next to Sweeny's in your book?—It so happens.

Francis Davies.

27 April 1837.

4300. So that I cannot now see what the value you put in your note was on Ledwith's, or whether it tallies with what you swore on your oath?—The value I attached to Ledwith's holding is the value I considered it worth when I was examined.

4301. You have no other reason to give why you tore out all that, except that it was to show you had been examined on that?—No other reason whatever.

4302. Do you mean to say that your memory is so bad that you cannot recollect whether you was examined a day or two ago on Ledwith's case without tearing out the page?—I do not say that.

4303. Why did you mark that?—I told you before.

4304. Why?—To show I was examined on it.

4305. I ask you, is your memory such as that you cannot recollect it without the mark?—I considered, when I was examined, that the note was valueless to me then.

4306. You tore it out because it was valueless to you, and not because you wished to remind yourself of it?—Both together.

4307. Which is it; let us have it?— Both together; from a feeling of one as much as the other.

4308. Will you swear it was not also done in order that I might not, when my book is put in my hands, see whether your evidence as to Ledwith agreed with that?—Decidedly not, because I never thought any person would see that book but myself.

4309. Did you calculate whether this was a good freehold or not, this one of Sweeny's?—No, not when I valued it.

4310. That is not my question; have you calculated whether it was a good freehold or not?—I have turned it in my own mind since whether that would make the freehold or not.

4311. Then you have not calculated whether it was a good freehold or not?—I have since I took that note.

4312. And have you calculated what nine acres and a rood at 2*l.* 2*s.* an acre would come to; have you made the calculation?—I have since I took that note.

4313. Does it, according to your calculation?—I do not think it will make 10*l.* beyond the rent; still at the same time I am convinced the man has a 10*l.* interest; that he has got a 10*l.* freehold.

4314. You say it will not make 10*l.* over the rent he pays, but he has a 10*l.* interest?—Yes.

4315. Then, when you have been calculating whether a man is a freeholder, you have been calculating whether he can raise 10*l.* out of the produce of the farm above the rent?—I do not think so.

4316. What do you mean then?—I mean a man may have a good freehold, without 10*l.* additional rent being imposed on the farm.

Re-examined by Mr. *Robinson.*

4317. The only alteration in that book is as regarding Ledwith's vote?—Yes.

4318. When did you tear that out?—The evening of the day on which I was examined.

4319. Were you at that time asked any question about having this book?—Not a word; and I never thought I should be asked about it.

4320. Just be so good as to read that entry?—"Michael Sweeny, 10 acres, 2 roods; 1*l.* 1*s.* 10*d.* was the rent."

[*The Witness was ordered to withdraw.*]

The Committee then came to the following resolution:—

"That the vote of Michael Sweeny be struck off the poll."

Mr. *Wrangham.*] The next is the vote of James Doherty; 200 on the list, 50 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

4321. DO you produce the affidavit of James Doherty?—I do.

[*The*

27 April 1837.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a General Quarter Sessions of the Peace holden at Ballymahon, in and for the county of Longford, on the 6th day of April in the year of our Lord 1835, I, James Doherty, of Kilcurry, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Kilcurry, in the barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 25th day of March in the year 1832; and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

James Doherty.

Sworn and subscribed before me, in open Court,
this 6th day of April 1835,

George French,
Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That James Doherty, of Kilcurry, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Kilcurry, barony of Abbyshrule, in this county. Dated this 6th day of April 1835, at Ballymahon.

George French, Assistant Barrister.

Certificate, No. 1,473. *J. V. Crawford,* Clerk of the Peace.

George Gardiner, called.

George Gardiner.

Examined by Mr. *Wrangham.*

4322. WERE you present when James Doherty came up to be registered?—I was.

4323. Was he objected to on the ground of want of value?—He was.

4324. Now to what quantity of land did he swear?—Seventeen acres two roods twenty-five perches.

4325. At what rent?—Twenty-four pounds yearly rent; 1*l.* 7*s.* 6*d.* per acre.

Cross-examined by Mr. *Robinson.*

4326. Let me look at your book?—I will.

4327. [*From the book.*] Is this Kilcurry in the barony of Abbyshrule?—It is.

4328. He was registered before, was he; did he come on a certificate?—He was rejected before by a former committee, and re-registered by Mr. French in April 1835.

4329. Mr. *Wrangham.*] You say he was rejected before by a former committee?—Yes.

4330. Mr. *Robinson.*] How do you know that?—[*No answer.*]

4331. Mr. *Wrangham.*] Did he state that before the barrister himself?—Yes.

4332. Was it for this holding?—For the very same, for he swore he had got no increase of land from what he had before.

Cross-examined by Mr. *Robinson.*

4333. Who asked him a question about that?—The counsel.

4334. What did he ask him?—Whether he had been rejected before.

4335. What did he answer to that?—He answered that he was.

George Gardiner.

27 April 1837.

4336. That he had been rejected?—Yes.

4337. Was that all that took place?—He was asked whether he had got any additional holding or not.

4338. Do I understand you that that is all he said?—He said he had got no increase of land.

4339. I ask you, is that all that he said, that he had been rejected, and had no increase of land?—He did.

4340. Was that all he said?—No.

4341. What else did he say?—He was sworn as to the value.

4342. Tell us what he did say?—He swore to that value, and it was 2*l.* an acre, and in consideration of that the barrister admitted him.

4343. He said nothing about a Committee of the House of Commons; he said merely he had been rejected before?—Yes.

4344. That is all he said?—The counsel opposing asked whether he had not been rejected by a former committee.

4345. What did he say?—He said he had been.

4346. Did he say how he came to know that?—He did not.

Re-examined by Mr. *Wrangham.*

4347. He was cross-examined as to whether he had not been struck off by a former committee?—Yes.

4348. Then he said he was?—He did.

4349. He said he had no additional holding?—He did.

4350. And then the barrister admitted him?—He did.

4351. *Committee.*] Did he state on what ground he was struck off, or did anybody ask him the question?—I do not know.

4352. You were present and heard what was said?—There were various grounds mentioned.

4353. You did not hear him say why he was struck off by the Committee of the House of Commons?—I did not.

4354. Mr. *Robinson.*] Have you parted with that book to the agent on the other said at any time?—Since I came here, the agent has it locked up in a box every day.

4355. Was that shown to the agents on the other side in Ireland, the agent on your side?—It was shown to the agent I am acting for.

[*The Witness was then ordered to withdraw.*]

Matthew Shaw, called.

Examined by Mr. *Wrangham.*

Matthew Shaw.

4356. HAVE you a large farm yourself in the barony of Abbyshrule, in the county of Longford?—I have one in that barony.

4357. Do you know James Doherty, of Kilcurry?—I do.

4358. Did you examine that farm?—I was there on the 15th of February the last time.

4359. What is the quality of the land in that farm?—It is a low, bad farm, and not reclaimed.

4360. Do you swear that?—I do.

4361. How much of that is there in tillage?—But a very small portion.

4362. Can you state how many acres there appeared to be in that farm?—No, I cannot.

4363. In the tillage how many were there?—There may be between three or four acres.

4364. And the rest of it, you say, is not reclaimed?—A part of it that is tilled is not reclaimed.

4365. In what state is that part that is tilled; is it good or bad land?—It is not good.

4366. Is there a house on it?—There is.

4367. Offices, as they call them here?—Yes.

4368. A barn, I suppose?—Some little thing of that kind.

4369. Will you state to the Committee what kind of house it is; in what state is it?—The house and offices are old, and seemingly going to decay.

4370. Taking every thing into account, offices and house, excluding nothing, what is the highest rent, from your knowledge of the value of land, which you think

think a solvent and responsible tenant could afford to pay for this farm?—One pound ten shillings an acre is the outside that could be paid for it. *Matthew Shaw.* 27 April 1837.

4371. If you wanted a farm in this barony as a tenant, would you give 1*l.* 10*s.* an acre for this?—No; I would not take land of this description at all.

4372. You are acquainted with the value of land in the barony of Abbyshrule?—Yes.

Cross-examined by Mr. *Robinson.*

4373. Do you know Doherty?—I have not much acquaintance with the man himself; I know the land.

4374. Does he live there with his family?—Yes.

4375. How long has he been there?—He has lived there a long time.

4376. Has he any stock on his farm?—I saw none when I was there.

4377. That was in February?—The 15th of February.

4378. Whom did you go with?—Cox and I went together.

4379. Did you see Doherty himself?—No, not that day.

[*The Witness was ordered to withdraw.*]

John Morgan, sworn.

Examined by Mr. *Wrangham.*

4380. MORGAN, did you serve a notice to produce on James Doherty, of Kilcurry?—Yes. *John Morgan.*

4381. What day did you serve it?—The 16th of February.

4382. For the 28th?—Yes.

4383. Did you serve it on himself?—Yes, himself personally.

Cross-examined by Mr. *Robinson.*

4384. What business do you carry on; how do you gain your livelihood?—By farming.

4385. Are you employed often in collecting tithes?—I was, but not now.

4386. When were you so employed?—Two or three years ago.

4387. When did you leave that employment; when was the last time you collected tithes?—Before May 1834, I think.

4388. Did you usually go about armed or not armed to collect the tithes?—Generally armed.

4389. Did you serve any more notices besides this one?—I did.

4390. Did you on that occasion go about armed?—I did.

4391. Are you known in this barony pretty well?—Pretty well.

4392. People know you have been employed before?—Yes.

4393. You say you are a farmer; what quantity of land have you got yourself?—Sixteen acres.

4394. How long have you had it?—I have had some of it nine or ten years.

4395. How have you got it?—I got it from the landlord.

4396. Who is the landlord?—Lady Ross.

4397. You are a farmer under Lady Ross?—No, my father has a farm from Mr. Fox.

4398. Have you land which you farm yourself, and pay rent for?—Yes.

4399. To whom?—To Mr. Robinson.

4400. How much?—Sixteen acres.

4401. You have yourself?—Yes.

4402. How long have you had it?—Some of it nine or ten years.

Re-examined by Mr. *Wrangham.*

4403. You say you hold 16 acres of land?—Yes.

4404. Under Lady Ross?—Yes, under Lady Ross.

4405. You mentioned Mr. Robinson; who is Mr. Robinson?—He is agent for Lady Ross, and I am a freeholder of the county.

4406. My friend has asked you about going armed while serving these notices; did any thing happen to you in the course of serving those notices which made that desirable?—There did.

4407. What was that?—A party attacked us and beat the men that were along with me with spades and pitchforks and hoys and shovels.

4408. Was that when you were serving notices in this matter?—Yes.

John Morgan.
27 April 1837.

4409. Did you get, what we call in England, a good licking?—I was not beat, but the men who were with me were knocked down several times, and very much hurt.

4410. And you carried arms for your own protection?—I did.

4411. *Committee.*] Whom were you serving when you were attacked?—I was going to serve a man of the name of Mike Nolan on the lands of Lislum.

4412. Was that the first occasion you were attacked?—It was.

4413. Had you pistols on that occasion?—I had.

4414. Where were they?—In my pocket when I was attacked.

4415. Did they know you were a tithe collector?—I do not know.

4416. Have you any doubt of it?—I never saw the man before, to my knowledge.

4417. How near do you live to him?—Six miles from him.

4418. Is Lislum in the barony of Abbyshrule?—Yes.

[*The Witness was ordered to withdraw.*]

Robert Cox, sworn.

Examined by Mr. *Wrangham.*

Robert Cox.

4419. DID you go with Mr. Shaw to value the land of James Doherty, of Kilcurry?—Yes.

4420. Did you agree together in the valuation of that land?—Yes.

4421. What is the quality of the land?—It is of a bad description of land, very much inclined to wet; it wants improvement and draining.

4422. What is the highest rent which you think a solvent and responsible tenant could fairly afford to give for this farm?—I am satisfied that 30*s.* is a very high rent.

4423. What sort of house is on it?—An indifferent thatched cabin.

4424. Is it in a good state of repair?—It is not.

4425. Out of repair?—It is declining, impoverishing, and going to decay.

Cross-examined by Mr. *Robinson.*

4426. How long were you making the valuation?—I think it was about an hour; I cannot speak accurately.

4427. Was Doherty with you?—No.

4428. Were none of his people with you?—No.

4429. *Committee.*] How do you know it was Doherty's land?—I have known the land six or seven years.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is my case.

Robert Wallace, sworn.

Examined by Mr. *Robinson.*

Robert Wallace.

4430. ARE you a landowner?—I am.

4431. In the county of Longford?— Yes.

4432. How much land do you hold in the barony of Abbyshrule?—Upwards of 127 acres.

4433. Are you acquainted with the value of land?—I think I am.

4434. Have you been accustomed to it all your life?—I have.

4435. Did you go over the farm of Doherty?—I did.

4436. At Abbyshrule?—Yes.

4437. When?—In February last.

4438. Whom did you go with?—A man of the name of Thomas Bracken.

4439. Did you value it carefully?—I did.

4440 Was there any stock there, did you see?—I have seen stock there.

4441. You did not see any stock there at the time?—I have seen some stock there.

4442. At the time you made the valuation?—Yes.

4443. You saw some then?—Yes.

4444. What do you say, in your judgment, this land is worth per acre; what is the fair rent?—It is well worth 2*l.* in my opinion.

Cross-

Cross-examined by Mr. *Whitesides*.

Robert Wallace.

27 April 1837.

4445. What is the book you have got there?—This is a copy of observations I made at the time.

4446. Is this the book you had the other day?—Yes.

4447. Let me look at it; point out the passage?—"James Doherty, of Kilcurry."

4448. What are these figures?—The rent he told me he paid.

4449. Twenty-four pounds twelve shillings and seven-pence?—Yes.

4450. Did you ask him what rent he paid?—I do not recollect that I did.

4451. How came he to tell you?—As well as I can recollect, the man showed me his lease.

4452. How came he to show it you; will you swear you did not ask for it?—I am quite sure I did not.

4453. And that the voter produced his lease to show it to you without your asking for it?—I did not ask for it.

4454. Who did ask for it?—I think Mr. Bracken did, but I am not quite sure.

4455. You were together, and you did not ask for it, but it appears Bracken did?—As well as I can recollect, I think he did.

4456. You are speaking to the best of your recollection?—I am.

4457. To the best of your recollection and belief, did Bracken ask to see that lease?—I cannot positively swear he did.

4458. To the best of your recollection or belief, did Bracken ask the voter to show him his lease?—Indeed I cannot recollect.

4459. Why did you tell us, then, that to the best of your recollection he did ask him?—I do not think I said so.

4460. Will you now swear whether he did or not, to the best of your recollection?—I know he did in some instances.

4461. Did he or not in this case ask for the lease, to the best of your recollection?—As well as I can recollect, I believe he did, but I will not swear positively he did.

4462. With your recollection at the best of it, will you take on yourself to swear either one way or the other?—I will not take on myself positively to swear I did.

4463. Have you any doubt of it?—To the best of my recollection he did ask for the lease, but I do not swear positively he did, because I do not recollect.

4464. You say you have been all your life acquainted with land?—Yes, as long as I can recollect.

4465. Pray were you bred up to that business?—I may say I was since I left school.

4466. Were you never bred to any other business?—I was.

4467. Was that before you left school?—No, after I left school.

4468. You said, since you left school, you had always been bred up to this?—I have always been acquainted with land.

4469. Have you, since you left school, been bred up to another business?—I have.

4470. What was it?—Surveying.

4471. Do you mean to swear you never was bred up to shoemaking?—I do mean to swear it.

4472. What state is this land in?—I think it is in a very good state.

4473. There is none of it unreclaimed?—There are some bottoms in it of a good description.

4474. I ask you a very plain question; is there any part or not of that land that is unreclaimed?—I do not think there is.

4475. On your oath, do you not know there is some unreclaimed?—In my judgment there is not.

4476. Will you swear positively there is none unreclaimed?—I will.

4477. What do you mean by saying this land is unreclaimed?—I say it is in an improved state, and the man is a very industrious person.

4478. We are talking of the land, and not the man—what do you mean by land being all reclaimed; is it well tilled?—I think there are between seven and eight acres of it tilled.

4479. What is the rest?—The rest is pasture for grazing.

4480. Is it what you call bottoms?—No.

 4481. What

Robert Wallace.

27 April 1837.

4481. What is it; how much bottom is there?—I think between two and three acres, not as good as the rest.

4482. I suppose the pasture is not so good as that which is tilled?—Not altogether so good.

4483. Is it all as good?—No, it is not.

4484. You say there are between seven and eight acres in tillage, and another portion not so good as that, and a third portion worse than both?—Yes, it might be so.

4485. What is the value you put per acre upon that which is tilled?—I valued it all at the time, to the best of my judgment; I considered it was worth 2*l.* an acre.

4486. What was the value you put per acre on the land that was tilled?—I cannot distinctly say; I valued it at the time.

4487. What is the value you put per acre on the land that is tilled?—The tilled land, I think, is worth 2*l.* 10*s.* per acre.

4488. What is the land of the second quality, the pasture land that you spoke of?—I think about 1*l.* 12*s.* or 1*l.* 13*s.*

4489. How much is there of that?—I dare say there are five acres of pasture, as well as I can recollect.

4490. And that you say is worth 1*l.* 12*s.*?—I put that at 1*l.* 14*s.*

4491. You say there are five acres of that?—I am not positive about that.

4492. Were there any bottoms?—Yes.

4493. What do you put upon that?—Thirty shillings an acre; I think it is worth 30*s.* an acre.

4494. How much is there of bottoms?—I cannot exactly say; I think about three acres, I did not measure it; I know there is an acre of meadow in it.

4495. It is not wet land?—No, it is not wet.

4496. Not at all?—No, not at all.

4497. When did you go to value this land?—In February.

4498. You are a judge of land?—I am.

4499. Was this wet?—I do not consider it wet; on the contrary.

4500. Do you consider it perfectly dry?—Yes, I do; it might be wet in some parts of it.

4501. You consider it, generally speaking, a dry farm?—Yes.

4502. Has he an excellent house on it?—No; but the house is a tolerable house.

4503. A very good house, is it not?—No, it is not in good repair.

4504. Is it going to decay?—No, I do not consider it is; I did not see it before, and I do not know what its original state was.

4505. Were you ever at this farm before?—Never.

4506. How long did you stay there?—An hour.

4507. Do I understand you to say that the house is out of repair, but not going to decay?—No; the house did not seem to be undergoing any repair.

4508. Is it or not out of repair?—I do not think it is out of repair.

Re-examined by Mr. *Robinson.*

4509. It is not so much out of repair as to be what my friend calls going to decay?—No.

4510. How many farms did you go over?—I went over several farms.

4511. Did you generally see the leases of the farms?—Yes, I did in many instances.

4512. Did you sometimes ask for them, and did the tenants sometimes produce them?—They were generally asked for; I did not ask for them.

4513. You have no distinct recollection who asked for it in this case?—Not in this case; I have not a distinct recollection.

4514. Taking land for better and worse, some worth 50*s.* and some worth 30*s.*, did you at the time make up your mind that it was worth altogether 40*s.* an acre?—Yes, if I did not, I would not swear it now.

4515. Have you any doubt that is the value of the land?—I have no doubt at all.

[*The Witness was ordered to withdraw.*]

Thomas

Thomas Bracken, sworn.

Examined by Mr. *Robinson*.

Thomas Bracken.

27 April 1837.

4516. ARE you a landowner at Longford?—Yes.
4517. How much land do you hold?—Fifty acres.
4518. Are you acquainted with the value of land?—I am.
4519. Have you been long accustomed to value land?—Yes.
4520. To the value of land?—Yes.
4521. Did you go over the farm of James Doherty, of Abbyshrule?—I went over the farm of James Doherty, in the barony of Abbyshrule.
4522. James Doherty, of Kilcurry, I mean?—Yes.
4523. Did you go over it with Mr. Wallace in the month of February?—I did.
4524. Did you see the lease of the tenant?—I cannot exactly recollect.
4525. Did you carefully value the land?—I did.
4526. Did you at the time fix on any average value per acre?—I did.
4527. What did you fix upon?—Two guineas.
4528. Is that what you think it would be worth per acre?—I think it would fairly set at that.
4529. *Committee.*] To a solvent tenant?—Yes, to a solvent tenant.
4530. Mr. *Robinson.*] Taking the good and bad?—Yes.
4531. It is not all of the same description, is it?—No, the most part of it is.

Cross-examined by Mr. *Whitesides*.

4532. Did I understand you to say you were long accustomed to value land?—Yes.
4533. A land-valuer, I presume?—No.
4534. You say you have been long accustomed to value land?—Yes.
4535. Did you ever follow the business of a land-valuator?—No; but I have been often sent to value.
4536. Can you tell me any gentleman in the county, who has an estate, who sent you to value land?—I have been sent to value the land of C———, the property of the late Lord Forbes.
4537. When was that?—As near as I can recollect, I think it was in 1833, or early in 1834.
4538. Who sent for you?—Mr. Edward Grogan, of Harcourt-street, in Dublin.
4539. Had Mr. Grogan any thing to say to that estate?—He was about purchasing it.
4540. He was not the owner of the estate?—No.
4541. Or the agent of the estate?—No.
4542. Or a farmer going to take a lease of it?—No.
4543. Did he purchase the estate on your valuation?—No.
4544. Are you the gentleman who stated you had been for several years a baker in Ballymahon?—I said I got my business conducted there.
4545. How many years was you a baker there?—I suppose it was about seven years that the business was carried on for me.
4546. You cannot recollect whether you asked for the lease?—I cannot charge my memory with that; I might have done it.
4547. Will you swear yes or no, you did not ask for the lease?—I will not.
4548. Will you swear you asked for the lease?—I answer I do not know; I could not take on myself to swear.
4549. Did you ask for the lease on any farm you went to?—I did.
4550. Did you see the lease?—I cannot say.
4551. Did you see the lease, on your oath?—I cannot charge my memory with it whether I did or not.
4552. Then the answer you give is, you cannot charge your memory whether you did or not?—I cannot.
4553. Did you make a memorandum of the farm?—I did.
4554. Did you put down the rent and the quantity?—I did.
4555. Will you swear it was not from the lease you got that?—I cannot say whether it was from the lease or the tenant.
4556. Did you put that down on paper or in any book?—I did.
4557. Have you that book?—I have.
4558. Just show me the entry?—I will—[*handing it.*]

 4559. "Held

Thomas Bracken.
27 April 1837.

4559. "Held 17 acres 2 roods 25 perches, at 24 *l.* 12 *s.* 7*d.* per acre;" did you not copy that out of the lease?—I cannot charge my memory whether I did or not.

4560. Will you swear whether you did not copy that from the lease?—I tell you I cannot say whether I did or not.

4561. Do you recollect every thing that took place, either correctly or perfectly?—I do.

4562. Except this fact?—I do not recollect this fact.

4563. Did Mr. Wallace ask for the lease?—I really cannot say.

4564. And you do not know at this moment whether you had the lease before you?—Yes, I cannot say.

4565. Did you make any calculation, on your oath, of what, over the rent and quantity, would give a clear value of 10 *l.*?—On my oath, I did not till after I made this entry; I might since, and I might not.

4566. Now, have you any doubt of the fact that you made that calculation since?—I cannot say whether I did or not.

4567. You cannot say?—I might have done it.

4568. Will you swear you did make it?—I cannot say.

4569. You might have made it?—I might.

4570. Will you give me leave to ask you, could you have made any calculation as to what would give the beneficial interest until you got the rent or quantity, either from the tenant or the lease?—I generally calculated what the land would set at, and I noted it down immediately; I might have made a calculation, and I might not.

4571. Did you not before you left that house; did not you and Wallace make a calculation, with reference to the rent and the quantity of land, as to what would give the voter a clear beneficial interest?—I cannot immediately charge my memory with that.

4572. Is that the only answer you will give me?—Yes.

4573. Can you charge your conscience with it?—They generally run hand in hand.

4574. Did you and Wallace agree as to the valuation of the land?—I never inquired of him what he valued the land at, and he never inquired of me.

4575. You and Wallace went together to the farm, and I now understand you to swear that you went together, and you never inquired of Wallace what value he put on it, and he never inquired of you?—We might say as far as this, that it was a good freehold, or it was not.

4576. Do I understand you to swear you never asked Wallace, who was with you, what valuation he put on the farm, and he never asked you, though you both went to value the farm and to agree on a valuation?—Precisely so, or something to that effect.

4577. What do you mean by saying that the only thing you looked at was whether there was a good freehold?—Whether we could support it here before the Committee or not.

4578. The question you considered was, whether you could support the case before the Committee?—Yes.

4579. Was that the question you considered when you went to value?—Yes.

4580. You said it would bring two guineas an acre?—I said it would bring 2 *l.* 2 *s.*

4581. Did you make any calculation as to the quantity of tillage land?—I find by this I entered what tillage there was there.

4582. How much was there of that?—There were five acres of oats and two acres and a half of potatoes.

4583. How much of bottoms?—There was an acre of bottom.

4584. If any one said there were three acres of bottom, he would be under a complete misconception?—Yes.

4585. What is the meaning of a bottom in the county of Longford; when a man says bottom, does it not mean a wet, marshy kind of land?—It means a low description of land, and more inclined to wet than the upland.

4586. Do you mean to say that bottom in Ireland means prime meadow land?—I have seen as good meadow on bottom as I ever saw.

4587. Do you mean to convey to the Committee, bottom means prime meadow land?—As it can be brought to cultivation.

4588. Is this brought to cultivation?—I think it is in the original state.

4589. Is

Thomas Bracken.

27 April 1837.

4589. Is it unreclaimed or reclaimed?—It is good in itself, I never saw it tilled.

4590. Is it reclaimed?—What do you mean by reclaimed?

4591. You are a farmer, what do you mean by reclaimed?—I mean land that is being tilled, manured or drained.

4592. Is this land manured, tilled or drained?—I think this might have been manured, but not tilled.

4593. Do you mean to say you have any doubt on your mind that this has never been tilled?—I cannot say that.

4594. You do not know whether it ever has been tilled?—I cannot say.

4595. Has it ever been tilled?—It must have been a long time since, from the appearance.

4596. Do you mean it ever has been tilled?—I cannot say.

4597. Is it waste?—No, it is not.

4598. Is it inclosed meadow land?—It is.

4599. You swear that?—Yes.

4600. Good meadow land?—Yes.

4601. Is the house a good house?—It is a tolerably good house, fit for a man of his rank.

4602. What might the rent be at which a bottom would set, such as you describe?—I think this meadow would set at from 3*l.* 3*s.* to 4*l.*

Re-examined by Mr. *Austin*.

4603. You knew for what purpose you went to value; you went with reference to this election?—I did.

4604. And you say there are eight acres in tillage?—Yes.

4605. That is five acres of oats and two and a half of potatoes?—Yes.

4606. This Mr. Grogan, who sent you to value this estate, sent you to value for the purpose of knowing it, in order to purchase?—Yes, just so.

4607. You say you valued it at 2*l.* 2*s.* an acre?—Yes.

4608. If Mr. Wallace valued it at 2*l.*, you do not agree with him?—No.

4609. Did you make up your mind as to what it was worth per acre before you left the farm?—Yes, I did.

4610. Just explain what you mean by that bottom acre being worth 4*l.*?—I mean to say that bottom meadow of the description that is set in meadow from 3*l.* 3*s.* to 4*l.*, as meadow would be scarce this season or not.

4611. Do you mean when hay is upon it?—Precisely so.

[*The Witness was then ordered to withdraw.*]

The Committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of James Doherty be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Matthew M'Cormick, of Lislum; 189 on the list, 48 on the poll.

Mr. *John V. Crawford*, called.

Mr. J. V. Crawford.

4612. Mr. *Crawford.*] DO you produce the affidavit of Matthew M'Cormick?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, Matthew M'Cormick, of Lislum, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rents and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Lislum,

27 April 1837.

Lislum, and barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 25th day of March in the year 1832; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Matthew M'Cormick.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Matthew M'Cormick, of Lislum, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Lislum, barony of Abbyshrule, in this county.

Dated this 22d October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

No. 542.

Arthur A. Griffiths, called.

Examined by Mr. *Wrangham.*

A. A. Griffiths.

4613. DID you at the registration take an objection to Matthew M'Cormick, of Lislum?—I did.

4614. On the ground of value?—Yes.

4615. What is the number of acres he swore out of?—Nineteen acres one rood twenty-five perches.

4616. And what rent?—One pound six shillings an acre.

Cross-examined by Mr. *Robinson.*

4617. Was there any discussion as to value?—There was a discussion.

4618. And evidence given on both sides?—Yes.

4619. How came you to speak so accurately to this?—I read this book this morning.

4620. Read the whole of the memorandum of what passed at the time?—"He held under a lease 19 acres 1 rood 25 perches Irish, and the rent amounted to 25*l.* 14*s.*, at 1*l.* 6*s.* an acre, situated near Ballymahon canal; said it was good ground, and he had a good house built before he took the lease, and that he had paid 2*l.* an acre, and 1*l.* 5*s.* before."

Mr. *Wrangham* objected to this being received as evidence.

Mr. *Robinson* was heard in answer to the objection.

The Committee were of opinion that it was evidence.

4621. Mr. *Robinson.*] Is that all in the memorandum that you read?—I know what he meant as to that; that, when he had the land at first, he paid 2*l.* an acre; there are the words 20*l.* for tenant's right.

4622. Was there any thing else?—He said that the cesses amounted to 1*l.* 16*s.* yearly, and 9½*d.* church cess, and the land about him sets for 2*l.*; that is meaning by the acre.

4623. What registration are you speaking of?—The 5th of November 1832.

4624. Do you happen to know that M'Cormick voted at the former election?—I do not know of my own knowledge.

4625. *Committee.*] Did you see the lease?—I saw it produced at the time, but I did not read it; the contents were read out of the lease by the assistant barrister.

4626. Did he tell you the terms of the lease?—They were read, but I did not take them down; but it was sufficient to enable him to register; I do not remember the tenure.

4627. Do you remember the term?—I do not, but it was sufficient.

4628. He had a life in it, in addition to the number of years?—He must have had a life, or a number of years equal to 20.

Re-examined

Re-examined by Mr. *Wrangham.*

Mr. *A. Griffiths.*

27 April 1837.

4629. Pray, is it usual for the registering barrister, when the lease is handed to him, to allow the opposite parties to look at it, or does he read it himself?—He decided he would not allow the parties to have it, but he would read the contents, if required.

4630. Whether it was a life or a term of years, you do not know?—I do not know; it was sufficient to allow him to register.

[*The Witness was ordered to withdraw.*]

John Morgan, called.

Examined by Mr. *Wrangham.*

John Morgan.

4631. DID you serve the notice to produce a lease on Matthew M'Cormick, of Lislum?—Yes.

4632. What day was that?—On the 16th of February for the 28th.

4633. Have you any reason to remember that day pretty well?—Yes, I have.

4634. Was that the day the people with you were beaten?—It was.

4635. Did you serve it on him?—Yes, personally.

Cross-examined by Mr. *Austin.*

4636. You were the tithe collector, were you not?—Yes.

[*The Witness was ordered to withdraw.*]

Matthew Shaw, called.

Examined by Mr. *Whitesides.*

Matthew Shaw.

4637. YOU mentioned to me that you had a farm in the barony of Abbyshrule?—I did.

4638. Do you know one Matthew M'Cormick, of Lislum?—I do.

4639. Did you examine his farm?—I did.

4640. What day did you examine it?—The 14th of February.

4641. Who was with you?—Mr. Cox.

4642. Anybody else?—Cox, and a man of the name of Plant.

4643. You know the county?—I have been in the habit of passing it many years.

4644. Did you carefully examine this man's farm?—I did on that day.

4645. Did you go over it?—I did.

4646. State to the Committee what is the highest rent that you think a solvent and responsible tenant could afford to pay for it?—I consider 1 *l.* 10 *s.* the highest value that could be paid for it by a solvent tenant.

4647. Would it bring 1 *l.* 10 *s.* in the market?—I think a man wanting a farm might give 1 *l.* 10 *s.* for it; but that would be the outside price he could afford to pay.

4648. What is the quality of the land?—It is light sandy land, with a certain portion of it wet.

4649. What is meant by bottoms?—That is low land, which is inclined to a spring of water.

4650. Do you consider bottoms prime meadow?—Where there are good bottoms; but where it is inclined to springs, it never is good for any thing till the spring is taken off.

4651. You think the highest rent that could be paid for it is 1 *l.* 10 *s.*?—That is my opinion.

4652. What sort of a house is there upon it?—A wretched house.

4653. A cabin?—Indeed it is.

4654. Did you see any offices?—They are just of the same kind.

4655. Did you include the offices and the house in the rent you put on it?—Yes, I did.

Cross-examined by Mr. *Austin.*

4656. You did not allow much for the house in the 1 *l.* 10 *s.*?—No.

4657. When did you first see the farm, to fix a value upon it?—I never stood on that farm till that day; I have gone by it.

4658. And you never have stood on it since?—No.

 4659. How

Matthew Shaw.
27 April 1837.

4659. How long were you on it then?—About half an hour.

4660. For the purpose of valuing it, to give evidence before this Committee; and you have passed by it often?—Several times.

4661. *Committee.*] Can you value 20 Irish acres in half an hour?—I went over the entire of it.

4662. In half an hour?—Yes, I did, till I came to the door to call the old man out of his house; I was just going to speak to him of the land, when we were attacked and put off the field; I was going to have a chat with the old man when we were attacked, and we were glad to get away.

[*The Witness was ordered to withdraw.*]

Robert Cox, called.

Examined by Mr. *Whitesides.*

Robert Cox.

4663. DID you examine the farm of Matthew M'Cormick, of Lislum?—Yes.

4664. With Shaw?—Yes.

4665. Do you know this county?—I know it perfectly well; but I was never on this farm before.

4666. Did you go over this farm?—I did.

4667. What is the highest rent you think a solvent and responsible tenant could afford to pay for it?—I valued it at 1*l.* 10*s.*; and I consider that a high rent.

Cross-examined by Mr. *Austin.*

4668. You entirely agree with the last witness about it?—Yes.

4669. Do you know at what the last witness has stated it?—We agreed on the land.

4670. Were you half an hour going over the land?—I cannot say how long I was going over the land; I consider I was about five minutes talking to M'Cormick; M'Cormick told me which were the meerings, and pointed them out to me.

4671. How long were you on the land?—I cannot tell distinctly; I think I could not be less than twenty minutes from the time I went on the land till I was forced off it.

4672. Have you been to it since?—No.

4673. You do not live in the neighbourhood?—I live within five miles of it.

4674. You agree with the last witness?—Yes.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham.*

John Corry.

4675. DO you know the farm of Mr. M'Cormick, at Lislum?—I do.

4676. How long have you been acquainted with that farm?—I have been acquainted with it these 15 or 16 years.

4677. Do you know it particularly well?—Yes, I know it very well.

4678. What do you say is the quality of the land?—The quality of it is of a very bad description; another part of a light, gravelly nature.

4679. From your knowledge of land, and your acquaintance with this farm for that number of years, will you undertake to tell the Committee the utmost rent per acre that a solvent and responsible tenant could afford to give for that farm?—I know; I lived within a mile of it, and I have had better land myself a good deal at less than 1*l.* 8*s.*; I think from 1*l.* 8*s.* to 1*l.* 10*s.* would be the highest value for it.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is my case.

Robert Wallace, called.

Examined by Mr. *Austin.*

Robert Wallace.

4680. NOW, Mr. Wallace, do you know Mr. M'Cormick's farm at Lislum?—I do; he is a neighbour of mine.

4681. How far does he live from you?—Not half a mile.

4682. How

Robert Wallace.
27 April 1837.

4682. How long have you known the farm?—Only since May last.
4683. Have you looked at the farm?—I have.
4684. When did you examine it?—I examined it in February last.
4685. Did you observe what the quality was?—I ascertained what the quality was.
4686. What, in your opinion, is the rent that a solvent and responsible tenant could afford to pay for the farm?—I think a good and solvent tenant could pay 2*l.* an acre for it.
4687. Have you examined the farm so as to be enabled to give an opinion upon it?—I have.
4688. A decided opinion?—Yes.
4689. And that is your deliberate opinion?—Yes.

Cross-examined by Mr. *Wrangham.*

4690. You went on the farm?—I did.
4691. How long were you on the farm?—Half an hour; I walked all over it; I walked all over the fields.
4692. A person may walk the fields over in half an hour, so as to be able to form a proper opinion of the value of the land?—Yes; I have seen the land since, and I have seen the land before.
4693. Do you happen to know that this man's rent had been 2*l.*, and was abated to 1*l.* 6*s.*?—I know nothing of that.
4694. That you did not inquire into?—No.

Re-examined by Mr. *Austin.*

4695. You made no inquiry as to the rent?—No.
4696. Do you know whether he gave a fine for it?—No.
4697. You did not inquire about that, but you say that it is worth 2*l.* an acre?—I say I would give 2*l.* an acre myself for it.
4698. *Committee.*] You say so now?—I do.
4699. Mr. *Austin.*] You say you had been on the farm before you valued it?—I saw the farm before I valued it, and have frequently seen it since.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Thomas Brucken.

Examined by Mr. *Austin.*

4700. DO you know M'Cormick, of Lislum?—Yes, I do.
4701. Do you know his holding there?—I do.
4702. Have you valued it?—I have.
4703. When did you first see his land?—Fifteen or sixteen years ago.
4704. Have you seen it from time to time during the last 15 or 16 years?—Yes.
4705. You have had a knowledge of the land for the last 15 or 16 years, as they say?—Yes.
4706. When did you value it?—Some time in February; I think the 14th or 15th.
4707. Is this land near a canal?—Yes.
4708. You valued it last February?—Yes.
4709. Did you ascertain for that purpose the amount of acreage?—I was told by M'Cormick.
4710. And what value did you put on it per acre?—About two guineas.
4711. Have you seen the farm since?—No.
4712. But you have seen it before during 15 or 16 years?—Yes, several times.

Cross-examined by Mr. *Whitesides.*

4713. You differ as before with Mr. Wallace in making it 2*l.* 2*s.* instead of 2*l.*?—I cannot help that.
4714. But you knew that?—I do not know it.
4715. Did you ask Wallace what value he put on this?—I did.
4716. When did you ask him?—I think it was this day.
4717. Within the last two minutes, was it?—No.
4718. Or 10 minutes, was it?—No.
4719. Or a quarter of an hour?—No.
4720. Or 20 minutes?—No.

Thomas Bracken.
27 April 1837.

4721. Was it since I had the honour of examining you last that you asked him the question?—Yes.

4722. You said you did not know at all whether you agreed or differed with Wallace?—Precisely so.

4723. Do you adhere to that statement?—I mean at the time of valuing the land.

4724. I hope you are still continued agent to your mother-in-law?—Yes, I am.

Re-examined by Mr. *Austin.*

4725. Did you value the land together with Mr. Wallace?—Yes.

4726. At the same time?—Yes, at the same time.

4727. Had you known the land before?—I had known it for the last 15 or 16 years.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:

"That the vote of Matthew M'Cormick is a good vote."

Mr. *Whitesides.*] The next is a vote of Patrick Kelly; 341 on the poll, 144 on the list.

Mr. *John V. Crawford,* called.

Mr. *J. V. Crawford.*

4728. Mr. *Whitesides.*] DO you produce the certificate of registry of Patrick Kelly?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace holden at Longford, in and for the county of Longford, on the 7th day of April in the year of our Lord 1835, I, Patrick Kelly, of Aughagrea, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Aughagrea, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 30th day of December, in the year 1831; and that I am in the actual occupation thereof by tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Patk Kelly.

Sworn and subscribed before me, in open Court, this 7th day of April 1835,

Geo. French, Assist Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Kelly, of Aughagrea, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Aughagrea, in the barony of Granard, in this county.

Dated this 7th day of April 1835, at Longford.

Geo. French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1537.

George

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

27 April 1837.

4729. HAVE you any entry of Patrick Kelly?—I have.
4730. Was you present when he was registered?—I was.
4731. What time was he registered?—April 1835.
4732. Was there an objection taken on the score of value?—There was.
4733. What was the rent, and what the number of acres?—Eleven acres.
4734. What was the rent?—Six pounds six shillings.
4735. Is that your whole entry?—No.
4736. Is there any thing more?—There is.

[*The Witness was ordered to withdraw.*]

William Morrison, called.

Examined by Mr. *Whitesides*.

William Morrison.

4737. DID you serve a notice to produce on Patrick Kelly, of Aughagrea?—Yes.
4738. How did you serve it?—Personally.
4739. What day did you serve it?—Sixteenth February for the 28th.

[*The Witness was ordered to withdraw.*]

William Walker, sworn.

Examined by Mr. *Whitesides*.

William Walker.

4740. DID you value the farm of one Patrick Kelly, of Aughagrea?—Yes.
4741. In the barony of Granard?—Yes.
4742. Was there anybody with you when you went to examine that farm?—Yes.
4743. Who?—Mr. Armstrong, Mr. Galbraith and Mr. Stephenson.
4744. Was Kelly himself present at the time you valued his farm?—He was.
4745. From your knowledge of the matter, what is the highest rent that a solvent tenant could afford to pay for this farm of Patrick Kelly?—I did not distinctly see Patrick Kelly's meerings, because in that townland a great portion of the townland is held in common among the tenants, and with no other meerings than landmarks.
4746. He was there himself?—He was; I had a conversation with him.
4747. What is the highest rent you think a solvent tenant can afford to pay?—There is no farm in the townland, with the exception of one, that is worth more than 1*l.* an acre at the utmost.
4748. What description of land is it?—There are some little stripes here and there of tolerably good soil, but the greater portion of the land is deep reclaimed boggy ground. It has been so far reclaimed that there have been crops on it, but it is not what any would call perfectly reclaimed; there are other parts of it gravelly, light soil.

Cross-examined by Mr. *Austin*.

4749. That 1*l.* an acre includes the one with the other?—Yes.
4750. There are parts of it good land?—There are spots here and there, but a very small proportion.
4751. You do not know the boundary of his occupation?—Not of a precise farm, for there is no boundary to it.
4752. You do not know precisely what portion of the land he occupies?—No.
4753. Pray have you lived in that neighbourhood?—No.
4754. You have only valued that county for a particular purpose?—I went there twice for a particular purpose; once on a former occasion, and now on this.
4755. And you only valued it for that particular purpose?—That is all.
4756. Are you acquainted with any part of Ireland more particularly than this?—Many parts.
4757. Where do you reside?—I reside in the town of Longford.
4758. Mr. *Whitesides.*] How many acres did you say you valued?—I think about 60,000.

William Walker.
27 April 1837.

4759. Mr. *Austin.*] Was that all for the purpose of the tithe valuation?—Yes.

4760. Mr. *Whitesides.*] Was this for the purpose of the tithe valuation?—No.

4761. You do not know the boundaries of the farm?—No.

4762. You know it is part of the townland?—Yes.

4763. Amongst which you say there is some good land?—Yes, because it is held by tenants in common, and they generally make their arrangements so as to equalize their holdings by dividing the good and bad amongst each other.

4764. Mr. *Austin.*] You do not know how that is done in this particular case?—I only know that from my general knowledge.

4765. Mr. *Whitesides.*] Did you see landmarks there?—I did.

4766. Did you value the farms according to those landmarks?—No.

4767. You valued the whole of the land in that barony?—No; I valued the whole of that townland.

[*The Witness was ordered to withdraw.*]

Mr. *William Lloyd Galbraith*, sworn.

Examined by Mr. *Whitesides.*

W. L. Galbraith.

4768. DO you know the farm of Patrick Kelly, of Aughagrea?—I do.

4769. How long have you known it?—Upwards of 20 years.

4770. From your knowledge of it, what is the highest rent a solvent tenant could afford to pay for it?—I think 1 *l.* an acre a high rent for it.

4771. Is it as high a rent as can be got for it?—I should imagine, if the lease was out, the landlord would not expect so much for it.

4772. You know these farm for 20 years?—I do.

4773. Mr. *Austin.*] Did you go with Mr. Walker?—I did.

4774. *Committee.*] Do you know Kelly's land in the open fields?—His father and he run in copartnership, and I could not find out the meerings; but I do not think there is an acre of land in the whole worth more than 1 *l.* an acre.

4775. You say the whole of that land is not worth more than 1 *l.* an acre?—I think not.

4776. Is there any difference in the land?—I did not see any difference in the land.

4777. They are all one quality?—Yes, they are.

4778. Mr. *Austin.*] All the land in the townland is one quality?—There is part of the land about his house black marshy, and another part is light sandy ground beyond the road.

4779. Are you speaking of the whole townland?—Yes, of the whole townland generally.

[*The Witness was ordered to withdraw.*]

Peter Daly, sworn.

Examined by Mr. *Austin.*

Peter Daly.

4780. DO you know Patrick Kelly's land?—Where does he live?

4781. At Aughagrea?—I do.

4782. You know this person?—I know his land.

4783. Have you gone over it?—Yes.

4784. When did you value it?—The beginning of February.

4785. Did you see him at the time?—I did.

4786. Did he point out to you what his lands were?—No, he did not point out to me what they were.

4787. Did you see his land?—I did.

4788. How did you find it?—I walked the road over to it, and I went in on it, and I have good reason to know the farm.

4789. Had you known it some time?—Yes.

4790. How long?—I lived three quarters of a year on the meerings.

4791. How long have you known this?—I suppose 16 years ago or more.

4792. Have you known the land since that time?—Yes.

4793. Ever since?—Yes; he is my neighbour.

4794. Do you know what is the extent of land he occupies?—I do not know.

4795. You do not know the exact number of acres?—No.

4796. Does

4796. Does this person hold a farm there?—He does.

4797. Do you not know the quantity of land?—I do not know it.

4798. Have you seen him on the land?—Yes; I told you before I thought I did.

4799. Have you seen him on the land at work there?—He was not working.

4800. You have seen him there working?—I saw him there when I was there valuing, but he was not working at that time.

4801. Did you ever see him working on that land at any time?—Well, I believe I did; I have seen the man's land very often.

4802. You have seen him at work?—I think I have.

4803. Now, in your opinion, what is the value of that land per acre?—I think it is worth 36 *s.* per acre.

4804. In your opinion, would a good tenant pay that for it?—I think so; I consider myself a good tenant, and I would take it at that money; it is a very advantageous farm; there is limestone and limestone gravel in it, and fine meadow-land.

4805. How far is it from Longford?—I suppose it is about nine miles.

4806. How long has he lived there, do you know?—I think he was born there; his father lived, I think, on the next land.

4807. They have been always on it since you have known them?—Yes.

4808. How far from Granard is it?—I think about two miles and a half, or three miles.

4809. That is a good market-town?—It is the best corn-market in the county.

Cross-examined by Mr. *Whitesides.*

4810. Did you think my friend was cross-examining you?—I thought he was crossing of me.

4811. You say that it is 16 years since you lived near it?—It is.

4812. You live a good many miles from it?—Not a good many.

4813. How many miles?—Three Irish miles from it.

4814. And he lives nine Irish miles from Longford?—He does.

4815. Did anybody go with you when you went to value the farm?—No

4816. Nobody went to value the farm with you?—No.

4817. Who sent you?—I was rather a voluntary volunteer upon it.

4818. Do you often voluntarily value farms?—No.

4819. On this occasion you thought you would just step there to look at it?—Yes.

4820. How many acres have you yourself?—Forty-one acres.

4821. And nine is the size of this farm?—Yes.

4822. That is the whole of the farm?—Yes.

4823. Did you make any memorandum of that?—I did.

4824. Have you it here?—I have.

4825. Let me look at it?—Here it is—[*handing it to the Counsel.*]

4826. You know this gentleman?—I think I do.

4827. He is the agent for the petitioners?—He is.

4828. When did you write that?—I wrote it when I came home from visiting the place.

4829. When did you write this?—It is not a correct thing to take my arms from me, and turn them against me.

4830. When did you make the entry?—I suppose it was after the evening I came from the place that I made the entry on the land.

4831. In point of fact, you made an entry in another memorandum on the land, and then you copied every thing from that memorandum into this book?—Yes.

4832. Have you those memorandums with you now?—No.

4833. What have you done with them?—They were bits and scraps; no doubt I have some of them, and I can bring them if you like.

4834. Did not you hear there were a great many questions asked about the original memorandums; did not you hear we were inquiring about them?—I did hear something about them.

4835. This is not the paper you first wrote on?—No; but it was a true copy of it.

4836. Did you make a calculation of what would give him the 10*l.* interest?—I did not; I merely put it down at what I valued it.

Peter Daly.

27 April 1837.

4837. What is the house of this man worth ?—I think two little cabins are on it; they are all the houses that are on it.

4838. What value did you put upon the house or the cabins ?—He has them set at 3*l.* 5*s.*

4839. What value do you put upon the house and cabins; what is the worth a year ?—I say I think they are worth the money and more.

4840. How much more ?—Something trifling.

4841. What do you value the houses at; are they worth 5*l.* a year ?—I do not think they are.

4842. That is 3*l.* 5*s.*; has he any houses in his occupation ?—There is no house on that farm.

4843. Do you include what he has let, the two cabins, in your valuation of the whole farm ?—I valued the land without the cabins at what I said.

4844. You put down 3*l.* 5*s.* for the two cabins; did you not include that 3*l.* 5*s.* for the two cabins in your valuation of the farm of 1*l.* 12*s.* an acre ?—I said 1*l.* 16*s.*

4845. Did you write 1*l.* 16*s.* in the book ?—I did not.

4846. Though you put down the value in the book at 1*l.* 14*s.*, you say it is worth 1*l.* 16*s.* ?—Yes.

4847. You say two cabins let at 3*l.* 5*s.*; do you include that in the valuation you put on the farm ?—I do not.

4848. But you put it down as part ?—I did not.

4849. Where did you get that book ?—I bought it in Granard.

4850. Where did you get it last; was it out of your possession at any time ?—No.

4851. Since when ?—Not since I wrote it.

4852. You swear that ?—I do.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution :—

"That the vote of Patrick Kelly be struck off the poll."

Veneris, 28° die Aprilis, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Wrangham.*] The vote we now proceed to is the vote of John Farrell; 241 on the poll, 197 on the list.

Mr. *John V. Crawford*, sworn.

Mr *J. V. Crawford.*

28 April 1837.

4853. Mr. *Wrangham.*] DO you produce the affidavit of John Farrell ?—I do.

[*The following Document was then put in :*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, John Farrell, of Lislum, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Lislum, barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of a deed, lease

lease or instrument, bearing date the 24th day of March in the year 1832; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God. 28 April 1837.

his
Sworn and subscribed before me, in open Court, this 15th day of November 1832, *John* ✕ *Farrell.* mark.

John Doherty, Deputy Assistant Barrister.

Truly read by me, *Edward Flood.*

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That John Farrell, of Lislum, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Lislum, barony of Abbyshrule, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.

Certificate No. 1062. *John V. Crawford*, Clerk of the Peace.

Arthur A. Griffiths, sworn.

Examined by Mr. *Wrangham.*

A. A. Griffiths.

4854. WERE you present when John Farrell, of Lislum, came up to be registered?—I was.

4855. Did you take an objection to him?—I did.

4856. I believe you examined witnesses against him?—I did not.

4857. You did oppose the claim?—I did.

4858. Was your opposition on the ground of want of value?—It was.

4859. What did he swear out of?—He swore he had 14½ acres of the land at Lislum at 1*l.* 12*s.* an acre.

Cross-examined by Mr. *Thesiger.*

4860. Have you a memorandum of this?—I had a memorandum taken of it.

4861. Just refer to your memorandum, if you please?—Here is the memorandum.

4862. Just read it?—"John Farrell, of Lislum, swore he had 14 acres and a half, and had paid 1*l.* 12*s.* per acre, and swore it was worth 2*l.* 6*s.*; allowed."

4863. Are you quite sure you did not call any witnesses on your side?—I might have called them, but I do not think they were examined.

4864. What is the use of calling witnesses if they are not examined?—I thought it was useless to examine them.

4865. You had witnesses there against the claimant?—I do not know that I had in that; I examined no witnesses in that case.

4866. What do you mean by saying you called witnesses, if you had no witnesses there?—I say I might have called them, or I might have had them.

4867. I ask you on your oath, had you witnesses there?—Upon my oath I do not know whether I had them there, but they were not examined.

4868. I ask you whether you will undertake to swear you had no witnesses there against this claim?—I can swear I would have produced witnesses, if I thought it was of use.

4869. Then you had witnesses there that you might have produced in opposition to this claim?—I do not know whether they were, but I could have called them if I thought the assistant barrister would pay attention to their evidence.

4870. Who was the assistant barrister on that occasion?—I think it was Mr. Doherty; it was the last case he heard, I think.

4871. And you did not think it would be useful to produce witnesses against it?—In many cases I did.

4872. Be so good as to attend to this case; you did not think it would be useful in this case to produce any witnesses?—I will not say this case; I say many cases.

A. A. Griffiths.
28 April 1837.

4873. You have told us you might have produced witnesses, if you had thought there had been any use in it?—I thought so in many cases.

4874. Now, Mr. Griffiths, do you mean to say in this case you might have produced witnesses, if you had thought it would have been of any use?—I cannot say at the moment witnesses were in court; I think I could have had them if they were of any use.

4875. Had you inquired of any party likely to become witnesses of the value of this man's land?—I am sure I had.

4876. Had you sent persons to value it?—No, I had not.

4877. I mean, did any persons who were engaged in your interest, did they employ persons to value this and other land?—I cannot say.

4878. How do you know you had witnesses there whom you could have produced?—I know gentlemen that live beside it, and they told me they could declare that this man had not a freehold.

4879. And you did not call witnesses before the assistant barrister?—I did not in this instance.

4880. Did you in many instances produce witnesses adverse to the claim?—I did.

Re-examined by Mr. *Wrangham.*

4881. You said you did not call them because you thought they would not be of any use?—Yes.

4882. Will you tell the Committee why?—I produced in some cases the most respectable gentlemen in that neighbourhood against claims, and their evidence was not attended to.

4883. Do you say you called most respectable gentlemen against the claim, and that the registering barrister admitted the claim?—He did.

4884. Did the registering barrister admit the claim wherever the party would swear up to the value?—He generally did.

4885. Will you explain fully to the Committee what was the reason which acted on your mind, and prevented you from calling witnesses in this case?—I had produced the most respectable gentlemen of the neighbourhood in many instances before the assistant barrister, and, notwithstanding their swearing in direct contradiction to the claimant, he admitted the claimant, except where he happened to break down himself.

4886. Was the practice of the registering barrister the reason which induced you to decline calling witnesses in this case?—It was.

[*The Witness was ordered to withdraw.*]

John Morgan, sworn.

Examined by Mr. *Wrangham.*

John Morgan.

4887. DID you serve a notice on James Farrell, of Lislum?—I served a notice on a girl in his house.

4888. Who is she?—She said she was his daughter.

4889. In his house you served the notice?—Yes.

4890. When was that?—On the 16th of February for the 28th.

4891. Did you say any thing in explanation of the notice?—I told her to give it to her father, to attend the House of Commons to defend his franchise.

4892. *Committee.*] What was the age of that daughter?—She was a large girl.

[*Witness was ordered to withdraw.*]

Matthew Shaw, sworn.

Examined by Mr. *Wrangham.*

Matthew Shaw.

4893. ARE you acquainted with this holding of James Farrell, of Lislum?—I am.

4894. Have you known it for any length of time?—I have known it for a length of time.

4895. Did you go at any time in the course of this year to value it?—I did, on the 14th of February.

4896. Did you go with anybody else?—Mr. Cox went with me and Plant.

4897. What is the highest rent per acre, in your judgment, a solvent and responsible tenant could fairly afford to give?—I think 1 *l.* 12 *s.* is the highest penny any one could afford to give for it.

4898. Did

4898. Did you see the house?—I did.

4899. Was it a very fine mansion?—No, it is a wretched thing.

4900. Wretched in comparison with other things in the neighbourhood?—It was most wretched indeed.

4901. The offices, as they are called, in what state are the offices in?—If any thing, they are worse than the house, for they are thatched with what we call potato stalks.

4902. What is it that are called potato stalks in Ireland; the stalks of potatoes, I suppose?—Exactly so.

Cross-examined by Mr. *Thesiger*.

4903. How many of those farms have you gone over to value?—Something beyond 20, I should think.

4904. Did you make any memorandum; did you take any thing down?—I did.

4905. Where is that?—In fact, the notes we took down in the field were nothing but bits of paper, and they were so soiled and spoiled that I did not bring them, but I have got it word for word in a book.

4906. Where is that book?—I have it.

4907. Have you got it about you?—I have.

4908. Have you looked at that book, to refresh your memory on the subject?—Not this day.

4909. Did you yesterday?—I might have done so.

4910. Did you, or did you not?—Of course, I might.

4911. I ask you, did you or did you not do it?—Well, I did.

4912. Then let me look at the book?—Here it is.

4913. When was that made?—It was made before I left the county of Longford.

4914. Immediately before?—I cannot say how short a time it was.

4915. What did you make it up from?—I made it up from what I called field books; a common piece of paper that was soiled and spoiled; I took and wrote it down.

4916. In the book that was no book?—Exactly.

4917. You wrote it all at one time?—Yes, word for word.

4918. Did Cox and Plant take down any memorandum also?—As to Plant, I will say nothing; but I am sure Cox did.

4919. Where did you get this book from?—I bought this book in the town of Longford.

4920. Are you quite sure of that?—I am certain of it.

4921. Are you sure it was not bought in Dublin?—I bought it of Frederick M'Clellan.

4922. Is this an exact copy of the former book?—Word for word.

4923. How many days before your coming up here did you make that book up?—I cannot say the number of days, because I made it up before I finished the views.

4924. Tell me how long before you came up here?—The number of days I cannot take upon myself to say.

4925. I will give you a good latitude; give us some notion of the time?—It is at least three weeks before I came off here.

4926. Now tell us when you came off here?—I left home this day three weeks.

4927. That would make it six weeks?—Of course.

4928. You have said the man is paying as much as the farm will bear?—I said no such thing; I do not know what it will bear.

4929. If a man pays 1*l.* 12*s.* an acre, he is paying as much as the farm will bear?—Certainly.

4930. You do not know what the tenant pays?—No; but I think that is the very highest value; I consider it the full value.

4931. You think it is a reasonable rent for it?—I consider it is the full value of the land.

4932. Is it a reasonable rent?—I conceive it is the full value of the land that could be got for it.

4933. Do you think it is a reasonable rent?—I do not think it a reasonable rent.

4934. Do you consider it an unreasonable rent?—I do not think it an unreasonable rent; I consider it the full value.

4935. Do you consider it a rack-rent?—No; I consider it the full value of the land.

Matthew Shaw.
28 April 1837.

4936. Do you know whether he has any family?—I cannot say as to his family.
4937. You do not know whether he has a family or not?—No.
4938. Are you aware whether he supports his family or not out of this farm?—I can say nothing of his support.
4939. How far do you live from Farrell?—I live about six miles.
4940. Have you ever been employed to value land in this neighbourhood before?—No; not in this part of the country.
4941. This is the first time?—Yes.

Re-examined by Mr. *Wrangham.*

4942. You know the land?—Yes; I have been in the habit of passing by the man's door for years.
4943. *Committee.*] Were you at the registration of this vote?—I was not.
4944. I believe you are a considerable owner of land?—Yes.
4945. To what extent?—Two hundred acres.
4946. Do not small occupiers give a much higher rent for a small holding than large occupiers give for a large holding?—That is generally in the kind of land.
4947. Do you underlet any of your land?—No, I underlet no land; I have other land set, but I have this farm of 200 acres in my hands.
4948. You have other land set?—I have.
4949. In small portions?—Yes.
4950. Do you not set those lands at a higher rent than what you give for them?—I have some land set under the rent; I pay for the entire of the farm, which is of a more inferior quality.
4951. Have you not some land which you let at a higher rent than what you give?—No.
4952. None?—Not an inch; I keep what we call the best part, and I set the inferior part; I set the land in that way.
4953. You let the inferior part for what you pay for the best part?—Some of it I do.
4954. You mean to say you let the inferior land at the same rate at which you estimated the rent of the whole land?—Exactly.
4955. If you let the inferior part for the same sum which you gave for the best part, is it not clear that you let the land for more than you give for it?—Yes.

Mr. *Thesiger* then submitted, that there was not sufficient evidence produced of the objection having been made to the voter at the time of registration.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Thesiger* replied.

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That Counsel do proceed with the vote of John Farrell."

Robert Cox, sworn.

Examined by Mr. *Whitesides.*

Robert Cox.

4956. DID you value the farm of John Farrell, of Lislum, in company with Mr. Shaw?—Yes.
4957. What time was that?—The 14th of February.
4958. What kind of house is on the farm?—A very little bad-thatched cabin.
4959. And what kind of offices?—Very bad and very poor; the one I saw on it was thatched with potato stalks.
4960. Now, in your judgment, what is the highest rent a solvent tenant could afford to pay for that?—One pound twelve shillings I valued it at.
4961. House and offices, and all?—Yes.

Cross-examined by Mr. *Thesiger.*

4962. You went over this property with Mr. Shaw, did you?—Yes.
4963. Did you generally go in couples, you and Shaw?—Partly, we did.
4964. What do you mean by partly in couples?—He and I went out together.
4965. And made your valuations together?—Yes.

4966. And

4966. And laid your heads together in making your calculations?—We spoke to each other. *Robert Cox.*

4967. You seem to agree in a most wonderful manner with each other; did you know that you agreed entirely?—Certainly, we agreed on the land. 28 April 1837.

4968. Pray did you take any memorandums?—I did.

4969. Where are they?—Here—[*handing a book to the learned Counsel.*]

4970. Why, this book belongs to the same family as Shaw's; did you and Shaw buy your books at the same place?—Yes, we did.

4971. And did you write them out at the same place?—No, we kept field-books.

4972. Where are your field-books?—Mine is at a lodging in the town.

4973. Why did you not bring it here to-day?—Because I did not know it would be wanted; this is a perfect copy.

4974. Why did you not bring it?—This is a perfect copy; I can fetch it.

4975. Let me look at that?—Here it is—[*handing it.*]

4976. Did you agree on the terms in which you should enter your memorandum?—We put the two books together, and we agreed on it.

4977. I observe you use the same language as is used by Shaw?—I do not know what language he used.

4978. Is it by accident, then?—When we were on the premises, we took field notes together; we valued the land, and took a view of the premises.

4979. Is it a mere accident, a wonderful coincidence even in words, that you entirely agree in the memorandum you made?—Shaw was not by when I took out that book.

4980. Was he by when you made your memorandum in the field-book?—Of course we agreed upon the value of the land, that it should be estimated at so much.

4981. And you agree on the words in which you should state it; did you both agree that you would put the houses as very bad?—Certainly, we said they were bad.

4982. Did you agree that you should say they were bad?—We did; I consider no freeholder ought to live in such bad houses.

4983. Did you think it better that you should have two books; that you and Shaw should each have a book?—I considered so; I considered it was necessary in every case.

4984. You each went and paid 6*d.* for your book?—I cannot say what I paid for the book; I bought other books before that.

4985. How far do you live from this spot?—I live something like five miles.

4986. Do you live near Shaw?—No.

4987. The other way?—I am nearer hand than Shaw; I have been in the constant habit of going that way for the last fifteen or sixteen years.

4988. Do you consider this 1*l.* 12*s.* a high or a reasonable rent?—I consider it a high rent; I valued it at the utmost farthing I considered it was worth.

4989. Pray do you think a man could live on a farm rented in that way?—I think a man may get other employment.

4990. Could he live out of the farm on the farm?—I consider any man, to support himself decent on the farm, could not live on it.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Robert Wallace, sworn.

Examined by Mr. *Thesiger.*

4991. DO you know the land which is held by John Farrell, of Lislum?—I do. *Robert Wallace.*

4992. Have you known it for some time?—I have known it since May last.

4993. Did you go over the land at any time to make a valuation of it?—I did carefully.

4994. When was that?—In February.

4995. How long was you employed in making your valuation; how long were you on the farm?—I walked over every field of it; I dare say half an hour.

4996. Was you there a sufficient time to form a judgment of the true value of it?—I think I was.

Robert Wallace.
28 April 1837.

4997. What, in your judgment, is the fair value per acre of that land?—I think he would get 2*l.* 5*s.* for it, if he was setting the farm; I am sure he would.

[*The Witness was ordered to withdraw.*]

Mr. *Thesiger* stated he would not keep up the contest any longer on this vote.

The vote of John Farrell was then struck off the poll.

Mr. *Whitesides.*] The next is the vote of Lawrence Murtagh; 191 on the list, 166 on the poll.

Mr. *John V. Crawford,* called.

Mr. *J. V. Crawford.*

4998. Mr. *Whitesides.*] DO you produce the affidavit of Lawrence Murtagh?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835, I, Lawrence Murtagh, of Ballyglasson, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Ballyglasson, barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rentcharge; and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of May in the year 1824; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Lawrence Murtagh.

Sworn and subscribed before me, in open Court,
this 6th day of April 1835,

Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Lawrence Murtagh, of Ballyglasson, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballyglasson, barony of Abbyshrule, in this county.

Dated this 6th day of April 1835, at Ballymahon.

Geo. French, Assistant Barrister.

Certificate No. 1,496. *John V. Crawford,* Clerk of the Peace.

George Gardiner, sworn.

Examined by Mr. *Whitesides.*

G. Gardiner.

4999. HAVE you an entry of Lawrence Murtagh, of Ballyglasson?—I have.

5000. Were you present when he came up to be registered?—I was.

5001. What month was that in?—April 1835.

5002. Was he objected to on the ground of value?—He was.

5003. Mr. *Thesiger.*] Did you object to him?—Counsel objected to him.

5004. Mr. *Whitesides.*] What rent did he swear he paid, and out of what amount did he claim to register?—He produced a lease of 12 acres; the rent was 17*l.* 8*s.*; 1*l.* 9*s.* per acre.

5005. Mr. *Thesiger.*] Let me look at your book, will you?—Yes—[*handing it.*]

5006. Are you quite sure—just look at the rent there—are you quite sure that you are right in taking down the amount of rent?—I am.

5007. You are quite certain of it, and you will undertake to swear that that was the rent which he stated?—That is the rent the barrister read out of the lease.

5008. That you swear?—I do.

Andrew

Andrew Johnstone, sworn.

Examined by Mr. *Whitesides*.

Andrew Johnstone.

28 April 1837.

5009. DID you serve a notice to produce a lease on Lawrence Murtagh, of Ballyglasson?—I did.

5010. When did you serve it?—On the 15th February.

5011. For what day?—The 28th.

5012. On whom did you serve it?—On himself.

5013. You know the man, I believe?—No, I did not know him till that day; I asked him whether he was not Lawrence Murtagh, and he said "Yes."

5014. Do you know the farm?—I do.

5015. How long have you known the farm?—I know it a good many years.

5016. Did you examine and view that farm?—I did.

5017. Will you state to the Committee what kind of farm that is, the house, and offices and land?—The house is not in very good repair; there is a small portion of it good land, about two acres, and all the rest is moor and bottoms, low ground.

5018. What is the highest rent a solvent tenant can afford to pay for that farm, according to the best of your knowledge, per acre?—Thirty shillings.

5019. Mr. *Robinson.*] Where was it you served this person?—On his own farm.

5020. *Committee.*] What sort of a house is it?—It is a dirty poor old house.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is the case against the vote.

Thomas Bracken, sworn.

Examined by Mr. *Robinson*.

Thomas Bracken.

5021. DID you go and value the land of Lawrence Murtagh, at Ballyglasson?—Yes.

5022. What do you say it is worth per acre?—It is worth 2*l.* 8*s.*

5023. Did you go carefully over it?—I did.

5024. Do you think a solvent tenant could afford to give that for it?—I think he could.

Cross-examined by Mr. *Whitesides*.

5025. It would bring that to-morrow in the market?—Yes, or more.

5026. How much more than 2*l.* 8*s.* would it bring?—It would bring a shilling or two more, according to the person who wanted it.

5027. Would it bring 3*l.*?—It would not.

5028. Did you calculate how much would give a beneficial interest in this case?—I did not.

[*The Witness was ordered to withdraw.*]

The Committee-room was then cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Lawrence Murtagh be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Patrick Newman; 170 on the poll, 187 on the list.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

5029. Mr. *Whitesides.*] DO you produce the affidavit of Patrick Newman?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the sixth day of April in the year of our Lord 1835, I, Patrick Newman, of Ballyglasson, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland

28 April 1837.

or division of any parish or barony lying and being at Ballyglasson, barony of Abbyshrule, in the county of Longford, and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 1st day of May in the year 1830; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold, in any other county, city or town. So help me GOD.

Patk Newman.

Sworn and subscribed before me, in open Court,
this 6th day of April 1835,
Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Newman, of Ballyglasson, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballyglasson, barony of Abbyshrule, in this county.

Dated this 6th day of April 1835,
at Ballymahon.

Geo. French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,502.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

5030. WAS you present when Patrick Newman, of Ballyglasson, came up to be registered?—I was.

5031. Have you a note of an objection taken on the ground of value?—I have.

5032. Mr. *Robinson.*] Read that note?—He produced a lease of 11 acres; yearly rent 9*l.* 4*s.* 6*d.*; swore he had it all in his possession, and would not give it up for 40*s.* an acre; Lawrence Murtagh was examined in support of the claim.

5033. The last voter was examined in support of this man?—He was.

5034. Is that all the note you have?—Yes.

5035. Mr. *Whitesides.*] He was admitted?—He was.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Whitesides*.

Andrew Johnstone.

5036. DID you serve a notice to produce on Patrick Newman, of Ballyglasson?—On a woman in his house.

5037. In the house you left that notice?—Yes.

5038. What day was it?—The 15th; the same day.

5039. For the 28th?—Yes.

5040. Is that farm next to the last?—It adjoins the last farm.

5041. It adjoins Murtagh's?—Yes.

5042. Was you present at the registration of Newman?—No.

5043. Is this a better or a worse farm than Murtagh's?—It is a worse one.

5044. What sort of house is it?—A worse house.

5045. Do you put any higher value on this than the last one?—I put a value of 2*s.* 6*d.* less.

5046. *Committee.*] The rent you put on is what?—Twenty-seven shillings and sixpence.

5047. Mr. *Robinson.*] Do you know Newman?—I knew his father; I do not know himself.

[*The Witness was ordered to withdraw.*]

Robert Wallace, called.

Examined by Mr. *Robinson*.

Robert Wallace

5048. DID you go and visit the farm of Patrick Newman, of Ballyglasson?—I did.

5049. What do you say it is worth per acre?—I think it is well worth 1*l.* 15*s.*

[*The Witness was ordered to withdraw.*]

The

28 April 1837.

The Committee came to the following resolution:—

"That the vote of Patrick Newman be struck off the poll."

Mr. *Whitesides.*] The next is John Cody; 167 on the poll, 202 on the list.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

5050. Mr. *Whitesides.*] DO you produce the affidavit of John Cody?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, John Cody, of Killenbore, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Killenbore, in the barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 25th day of March in the year 1832; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Cody.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Cody, of Killenbore, in the county of Longford, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Killenbore, in the barony of Abbyshrule, in this county.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,290.
Paid.

James Gauly, sworn.

James Gauly.

Examined by Mr. *Whitesides.*

5051. HAVE you any note respecting John Cody, of Killenbure?—I have.

5052. Were you present when he came up to be registered?—I was.

5053. Was he objected to on the ground of value?—He was, by two witnesses.

5054. Two witnesses were examined?—Yes.

Cross-examined by Mr. *Robinson.*

5055. Read your note?—"John Cody, 20 acres; rent 40*l.*; got land six months ago; is able to grow wheat; slept in the house often; William Guy swore he valued it at two guineas; swore to there being four acres of bog. Mr. Butler, who knows Cody's land, values it at 2*l.* 2*s.*"

[*The Witness was ordered to withdraw.*]

John Morgan, sworn.

John Morgan.

Examined by Mr. *Whitesides.*

5056. DO you know John Cody, of Killenbure?—Yes.

5057. Did you serve him with a notice?—I did.

 5058. How

John Morgan.
28 April 1837.

5058. How did you serve him?—Personally.
5059. On what day?—The 16th of February, for the 28th.
5060. Had you any conversation with him on that occasion?—Not that day; I had on a previous day.

[*The Witness was ordered to withdraw.*]

Matthew Shaw, called.

Examined by Mr. *Whitesides.*

Matthew Shaw.

5061. DO you know the farm of Cody, in Abbyshrule?—The townland?
5062. Of Killenbure?—I do.
5063 Now we have heard that it is 20 acres in extent; state to the Committee what sort of house is upon it?—A very middling house; the house is not in repair; rather otherwise.
5064. Is the land reclaimed or unreclaimed; what kind of land is it?—There is part of the land unreclaimed.
5065. How much of that is there?—I think three or four acres—a cut-away bog.
5066. *Committee.*] Is any part of the land of this holding unreclaimed?—Yes.
5067. Mr. *Whitesides.*] You do not mean waste land attached to it?—No.
5068. What description is the other portion of it?—I consider half of the farm to be good land.
5069. Now, according to the best of your judgment, what do you think is the highest rent that a solvent tenant could afford to pay for such a farm?—I think the highest rent would be 2*l.* an acre.
5070. *Committee.*] You did not know that he paid that?—No.
5071. You positively did not know it?—I never knew it.
5072. You did not inquire what was the rent he paid?—I refused the first day to go out if the rent was to be given to me.
5073. How long have you known this farm?—I have been acquainted with it a long period; it is only three miles from where I was bred and born.
5074. From your knowledge of it, you believe a solvent tenant could not pay more than 2*l.* an acre?—I do.

Cross-examined by Mr. *Robinson.*

5075. How long have you known this man?—I have known Cody since he was a child.
5076. Has he a family?—He has, I believe, at present.
5077. Is he a respectable and industrious man?—I think he is.
5078. Does he support his family in this farm, for which he pays 2*l.* an acre?—I think he has no other way of supporting his family than by this farm.
5079. And you think he pays the utmost value for the farm?—I think he pays the utmost value that can be paid.
5080. When did you first hear he paid 3*l.* an acre?—I heard it for the first time here.
5081. Have you got your memorandum book with you this time?—I have.
5082. Just let me look at it, will you?—Yes.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Robinson.*

Thomas Bracken.

5083. DO you know the farm of John Cody, of Killenbore?—I do.
5084. Have you been carefully over it to value it?—I have.
5085. What do you say it would be worth per acre?—I do not think at the outside it would bring more than 2*l.* 6*s.*
5086. That is your estimate, taking all into consideration, the house and every thing?—Taking into consideration the house as it now stands, and every thing connected.

[*The Witness was then ordered to withdraw.*]

The

28 April 1837.

The Committee came to the following resolution :—

"That the vote of John Cody be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Bryan Jordan; 149 on the poll, 195 on the list.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

5087. DO you produce the certificate of Bryan Jordan?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of 10 *l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose, I, Bryan Jordan, of Lislum, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Lislum, and barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 25th day of March in the year 1832; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Bryan × *Jordan.*
mark.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.
Truly read by me, *Jas. Hart.*

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Bryan Jordan, of Lislum, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Lislum, and barony of Abbyshrule, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 896. *Flood.*

George Gardiner, sworn.

Examined by Mr. *Whitesides.*

G. Gardiner.

5088. WERE you present when Bryan Jordan came up to be registered?—I was.

5089. Have you a note of the objection taken to him?—I have.

5090. Was that objection on the ground of value?—It was.

5091. Read the note you took down at the time?—He produced the lease of 14 acres 3 roods; yearly rent 20 *l.* 13 *s.*, at 1 *l.* 8 *s.* per acre.

5092. Was he objected to on the ground of value?—He was.

Cross-examined by Mr. *Robinson.*

5093. Were there witnesses examined as to value?—No.

5094. Who objected?—The counsel.

5095. Was he himself examined?—He was.

5096. The voter was examined himself on the ground of value?—Yes.

5097. That you swear?—I do.

G. Gardiner.
28 April 1837.

5098. Do you live near this farm?—Yes.

5099. What kind of land is it?—The soil is worn out very much, and there is some tail with bottoms, and there is bog not reclaimed on the west end of the farm.

5100. Is it mountainy land?—It is not mountainy.

5101. Did you assist in valuing two parishes under the Tithe Composition Act?—I did.

5102. What is the value of this, according to the best of your judgment and knowledge?—The value of this farm, at the very highest, I think, is 1*l.* 10*s.* an acre.

5103. Would that be the full value of it?—Yes.

5104. How long have you known the farm?—Twenty years.

5105. Have you been on it?—Yes.

5106. Do you know Bryan Jordan?—I do, perfectly well.

5107. Is there a house on this farm?—There is.

5108. What sort of a house?—In very bad repair.

5109. Do you know that he has any means of supporting his family but this farm?—No.

5110. You say the farm is worth 1 *l.* 10 *s.* an acre?—Yes.

5111. How much is worth that, in your opinion?—Ten acres is worth that.

5112. What are the others worth, do you think?—There is some of it worth 1 *l.* an acre.

5113. How much is worth 1 *l.* an acre?—Two acres more of it is worth 1 *l.*

5114. *Committee.*] What sort of house is on the farm?—It is an old house, a long time built.

5115. Did you, in your valuation, include the house?—Yes, in giving the 1 *l.* 10 *s.* an acre as the rent, I took in the house.

[*The Witness was ordered to withdraw.*]

John Morgan, called.

Examined by Mr. *Whitesides.*

John Morgan.

5116. DID you serve a notice to produce on Bryan Jordan, of Lislum?—I did.

5117. When did you serve him?—The 16th, for the 28th.

5118. Upon whom did you serve it?—On himself.

Cross-examined by Mr. *Robinson.*

5119. Do you know the man?—Yes.

5120. Did you know him before that day?—Not before that day; for I had good reason to know him on that day.

5121. Where did you serve him?—In the street.

5122. *Committee.*] What reason had you for knowing him?—He followed the men along with me, and beat us.

5123. Mr. *Robinson.*] How do you know this was Bryan Jordan?—I asked him was he Bryan Jordan, and he told me he was.

5124. That was when he was on the land?—It was.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Robert Wallace, called.

Examined by Mr. *Robinson.*

Robert Wallace.

5125. DO you know Bryan Jordan's land?—Yes, I do; he is a neighbour of mine.

5126. Have you been to value his farm?—I have.

5127. When?—In February last.

5128. Have you known it long?—Since May last.

5129. What do you say it is worth an acre?—I think it is worth 2 *l.* 2 *s.* an acre.

Mr. *Robinson.*] I do not think I can maintain this vote.

The vote of Bryan Jordan was ordered by the Committee to be struck off the poll.

Mr. *Whitesides.*] The next vote we object to is the vote of Patrick Dolan; 71 on the list, and 208 on the poll.

Mr. *John*

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. *J. V. Crawford*

28 Apri 1837.

5130. DO you produce the affidavit of registry of Patrick Dolan?—I do.

[*The following Document was then handed in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, Patrick Dolan, of Corboy, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Corboy, barony of Longford, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date, lease in the landlord's hands, registered in 1820; and that I am in the actual possession thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Patrick Dolan.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Dolan, of Corboy, in the county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Corboy, in the barony of Longford, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,173.
L. & G. Pd.

James Gauly, called.

Examined by Mr. *Whitesides*.

James Gauly.

5131. WERE you present when Patrick Dolan, of Corboy, came up to be registered?—I was.

5132. Was he objected to on the ground of value?—He was objected to on two grounds.

5133. I only ask you as to one; was he objected to on the ground of value?—Yes.

5134. What rent did he swear he paid; and what number of acres did he swear he held?—Twenty acres, at 2*l.* 2*s.*

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Whitesides*.

Andrew Johnstone.

5135. DID you serve a notice to produce on Patrick Dolan, of Corboy?—I did.

5136. What day did you serve it?—I think the 16th.

5137. For the 28th?—Yes.

5138. Have you any portion of the land of Corboy in your own hands?—I have.

Andrew Johnstone.

5139. How much?—I suppose 150 acres.

5140. Is that part of the land this man has?—It is a part of the same denomination.

5141. What rent do you pay for it?—I pay, on an old lease, 17 Irish shillings, and I have a farm of 12 acres, which I got this month, at 1*l.* 12*s.* 6*d.*

5142. I want to ask you about that farm of 20 acres; is the head landlord, the landlord of Dolan's farm and your 20 acre farm, the same person?—Yes.

5143. What rent do you pay for that farm?—I think it is 1*l.* 11*s.* 6*d.*; it is certainly not beyond 1*l.* 12*s.* 6*d.*

5144. Can a solvent tenant, on your oath, pay 2*l.* 2*s.* an acre for that farm?—He could not.

5145. Mr. *Robinson.*] How long have you known this farm?—At least 20 years.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Thomas Nesbitt, sworn.

Thomas Nesbitt.

Examined by Mr. *Robinson.*

5146. DO you know Patrick Dolan's land, at Corboy?—I do.

5147. Did you value his land?—I did.

5148. What do you say it is worth per acre?—I think it is worth about 2*l.* 10*s.*

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Patrick Dolan be struck off the poll."

Mr. *Whitesides.*] The next is Michael Dowd; 42 on the poll, 74 on the list.

[*The following Affidavit of Registry was then put in by Mr. Crawford:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose, I, Michael Dowd, of Drunnacoohy, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Drunnacoohy, barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 10th day of June in the year 1827; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Mich. Dowd.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Michael Dowd, of Drunnacoohy, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Drunnacoohy, barony of Ardagh, in this county.

Dated this 15th day of November 1832,
at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,221.
Rev. Mr. *Reilly.*

James

James Gauly, called.

Examined by Mr. *Whitesides*.

James Gauly.

28 April 1837.

5149. HAVE you a note of an objection taken to Michael Dowd?—I have.
5150. Was he objected to on the ground of value?—He was.
5151. What number of acres did he swear out of?—Ten acres and a half.
5152. What was the rent he stated he paid?—Four pounds ten shillings and eight-pence.
5153. Have you any thing more in that note?—No.
5154. He was admitted?—He was.

Cross-examined by Mr. *Robinson*.

5155. What registration are you speaking of?—November 1832.
5156. Was there any discussion as to the value?—He was cross-examined.
5157. As to value?—Yes.

[*The Witness was ordered to withdraw.*]

William Morrison, called.

Examined by Mr. *Whitesides*.

William Morrison.

5158. DID you serve a notice on Michael Dowd of Drunnacoohy?—I did.
5159. When did you serve it?—I served it on the 14th, for the 28th.
5160. How did you serve it?—I offered it to him at his own house, and he would not take it; and he told me to leave it on a chair beside him; and so I did.

Cross-examined by Mr. *Robinson*.

5161. You knew the man?—I did.

[*The Witness was ordered to withdraw.*]

William Lloyd Galbraith, sworn.

Examined by Mr. *Whitesides*.

W. L. Galbraith.

5162. DID you accompany any one to value the farm for one Michael Dowd?—I did.
5163. What time was that?—In the middle of February.
5164. Will you just describe shortly to the Committee what sort of farm it is?—It is black moory land.
5165. Is it near your own property?—Within three miles of it.
5166. It is a miserable farm?—Yes.
5167. What kind of cabin is there on it?—A bad mud cabin on it.
5168. From your knowledge of the land and value of property, what is the highest rent a solvent tenant could afford to pay for this farm of 10 acres?—I think 15*s.* an acre is a high rent for it.
5169. Is there any bog on it?—There is turf cut in the middle of it.
5170. Bog in the middle of it?—Yes.

Mr. *Whitesides*.] That is my case.

Thomas Nesbitt, called.

Examined by Mr. *Robinson*.

Thomas Nesbitt.

5171. HAVE you been over the land of Michael Dowd, of Drunnacoohy?—Yes.
5172. Did you value it?—I did.
5173. What do you say it is worth per acre?—It is worth 1*l.* 10*s.* an acre.
5174. Do you think a solvent tenant would give that for it?—I do.

Cross-examined by Mr. *Whitesides*.

5175. You are quite sure for this land a solvent tenant would give 1*l.* 10*s.* an acre?—Yes.
5176. Do you know what rent this man pays?—I could not swear what he pays.
5177. Did you ask him?—I might have asked him.

Thomas Nesbitt.

28 April 1837.

5178. What rent does he pay?—The man has paid 30*l.* for three acres, which he purchased from a neighbour, of the same description of land.

5179. Is that connected with the present farm?—It shows the value.

5180. What rent does he pay?—I cannot tell you; I cannot recollect; if I did I would tell you in a moment.

5181. Did you not say this moment you asked him the rent?—I have no doubt I did.

5182. Do you not remember?—No.

5183. Did you take a note?—I did.

5184. Where is it?—It is at my lodgings.

5185. What kind of farm is it?—It is a mountain farm.

5186. Is there not bog in the middle of it?—There are some spots in it, but I think it is worth 1*l.* 10*s.* an acre.

5187. *Committee.*] What do you mean by spots?—Spots here and there.

5188. Does that improve the value of the land?—No, it does not; taking the whole into consideration, as I viewed it, and walked over it, I think it is worth 30*s.* an acre.

Re-examined by Mr. *Robinson.*

5189. You spoke of some land which he purchased; is that of the same description of land?—It is.

[*The Witness was ordered to withdraw.*]

Committee-room cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Michael Dowd be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of David Matthews; No. 229 on the list, and 10 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

5190. HAVE you the affidavit of registry of David Mathews, of Fortmills?—I have.

[*The following Document was then handed in:*]

£10. Leasehold. Term of 20 Years. County.

OATH of a LEASEHOLDER registering a Ten Pound Leasehold in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, for that purpose appointed, I, David Mathews, of Fortmills, in the county of Longford, do swear, That I do now hold the houses and land situate, lying and being at Fortmills, and barony of Ardagh, under a lease for 21 years, bearing date the 4th day of December in the year 1828, by and between the Rev. Richard Graves, Dean of Ardagh, to David Mathews, and that such leasehold is now of the clear yearly value of 10*l.* over and above all rent-charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses, or rates and cesses upon any townland or division of any parish or barony, and that the said leasehold does not arise from a rent-charge; and that I have not accepted or procured the said leasehold fraudulently, nor in exchange for any freehold or leasehold in any other county, city or town, and that I am in the actual occupation thereof. So help me GOD.

David Mathews.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That David Mathews, of Fortmills, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a leasehold of the yearly value of 10*l.*, situate at Fortmills, and barony of Ardagh, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
J. V. Crawford, Clerk of the Peace.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides*.

5191. WERE you present when a man of the name of David Mathews came up to be registered?—I was. *A. A. Griffiths.* 28 April 1837.

5192. Was David Mathews objected to?—I objected to him.

5193. Was it on the ground of value?—It was.

5194. Will you state to the Committee what rent he swore he paid, and what number of acres he held?—He swore he held six acres in his own possession, and he paid 4 *l.* 12 *s.* 9 *d.* on a 20 years' lease.

Cross-examined by Mr. *Robinson*.

5195. Mr. *Griffiths.*] Do you mean to swear there are only six acres?—He swore he had six acres, but I know he had not so much.

5196. Just read your note; did you take that note yourself?—It was taken in my presence by a person who is now dead.

5197. Did you look over him when it was taken?—I did.

5198. Did you see that person write that?—I did.

5199. And you will swear that it is correct?—I will.

5200. Who is the person who wrote it?—Mr. Moore.

5201. Now just read the note?—He produced a lease, in which he said there was nine acres and a half, for which he paid 4 *l.* 12 *s.* 5 *d.*; his brother had two acres, and another brother part, and six acres remained to him. The lease was from the Dean of Ardagh, and he said it was worth two guineas an acre; he said there was no renewal.

Re-examined by Mr. *Whitesides*.

5202. He swore he had six acres in his occupation?—Yes.

5203. And you think he had not so much?—I do.

5204. Did he swear, or do you know of your own knowledge whose lease it is?—It is from the Dean of Ardagh, for 20 years.

5205. Was it 20 years certain, or, like some we have seen before, 21 years, or a life?—There was no life mentioned.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* stated, he should offer no evidence on this vote.

The Committee came to the following resolution:—

"That the vote of David Mathews be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Michael Simons; 8 on the poll, 185 on the list.

Mr. *John V. Crawford*, called.

5206. Mr. *Whitesides.*] Do you produce the affidavit of Michael Simons?—I do. Mr. *J. V. Crawford.*

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, Michael Simons, of Rathmore, barony of Abbyshrule, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Rathmore, barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 1st day of April in the year 1825; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the

28 April 1837.

the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Michael Simons.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That Michael Simons, of Rathmore, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Rathmore, barony of Abbyshrule, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,054.
Pa d.—*Flood.*

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

A. A. Griffiths.

5207. WILL you look at your book and see if you have an entry of Michael Simons?—Yes.

5208. Was you present when that person came up to be registered?—I was.

5209. Was he objected to on the ground of value?—He was.

5210. Who objected to him?—I did.

5211. What did he swear he registered out of?—Nine acres one rood seven perches, for which he paid 9 *l.* 15 *s.* 1 *d.*

5212. Mr. *Robinson.*] Was he objected to on the ground of value?—He was.

5213. By yourself?—By myself, and by my counsel.

[*The Witness was ordered to withdraw.*]

John Morgan, called.

Examined by Mr. *Whitesides.*

John Morgan.

5214. DID you serve a notice to produce on Michael Simons, of the barony of Abbyshrule?—I did.

5215. When did you serve it?—On the 16th.

5216. How did you serve it?—Personally.

5217. Was it a notice for the 18th?—Yes.

5218. Do you know Michael Simons?—Yes.

5219. Did you know him before?—I had seen him before.

5220. Known him?—Yes.

[*The Witness was ordered to withdraw.*]

Matthew Shaw, called.

Examined by Mr. *Whitesides.*

Matthew Shaw.

5221. DID you examine the farm of Michael Simons, of the barony of Abbyshrule?—Yes, I did.

5222. What kind of farm is it?—The greater part of it is a very low loose kind of land.

5223. What do you estimate as the best rent which a solvent tenant could pay?—One pound eight shillings.

5224. Is it rocky?—Yes; a part of it is very rocky.

5225. That is the best rent a solvent tenant could pay?—Yes.

Cross-examined by Mr. *Robinson.*

5226. Did you know the land before?—I did.

5227. How long had you known it?—I did not know the exact bounds till I went to it last time.

5228. How long were you examining it on this occasion?—A very short time.

[*The Witness was ordered to withdraw.*]

Mr

Thomas Bracken, called.

Examined by Mr. *Whitesides*.

T. Bracken. 28 April 1837.

5229. DO you know Michael Simons' land, at Rathmore?—I do.
5230. Have you been over it, for the purpose of valuing it?—I have.
5231. When?—Some day in April.
5232. What do you say it is worth per acre?—Two pounds five shillings.
5233. You think it is worth 2*l.* 5*s.*?—I do.
5234. Are there any houses on it?—There are two good ones.
5235. Does the man live there with his family?—He does.
5236. Have you known him long?—Sixteen or seventeen years.
5237. Does he support his family out of that farm, or are you aware of his having other property?—He may have other property for what I know.

Cross-examined by Mr. *Whitesides*.

5238. And he may not?—Yes.
5239. Do you mean to say that this farm, for which Simons pays only 1*l.* an acre, will produce in the market 2*l.* 5*s.*?—I do.
5240. That is your opinion of the value of land?—Yes.
5241. Not two guineas, but 2*l.* 5*s.*?—Yes.
5242. It must be prime land at that rate?—The greater part of it is very prime; the reason why he got it so cheap was—
5243. Would you give 2*l.* 5*s.* yourself for it if you wanted a farm?—I would.
5244. That you swear you would?—Yes, and I would be glad to get it.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Michael Simons be struck off the poll."

Mr. *Whitesides*.] The next is the vote of John Kearney; 226 on the list, 88 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. J. V. Crawford.

5245. DO you produce the affidavit of John Kearney?—I do.

[*The following Document was then put in*:]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d and 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose, I, John Kearney, of Cartronawar, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Cartronawar and barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 15th day of January 1794; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Kearney.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

28 April 1837.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Kearney, of Cartronawar, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cartronawar and barony of Ardagh, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 900.—*Flood.*

George Gardiner, called.

Examined by Mr. *Whitesides.*

G. Gardiner.

5246. WERE you present when John Kearney, of Cartronawar, was registered?—I was.

5247. Was there an objection on the ground of under value?—There was.

5248. What number of acres did he swear he held?—He produced a lease of 15½ acres, but had but 13 acres 3 roods in his possession; pays 1*l.* 7*s.* 8*d.* per acre.

Cross-examined by Mr. *Robinson.*

5249. Do you know more than one John Kearney?—No, I do not.

5250. You do not know more than one on the poll?—I do not.

[*The Witness was ordered to withdraw.*]

William Morrison, called.

Examined by Mr. *Whitesides.*

William Morrison.

5251. DID you serve a notice to produce on John Kearney?—Yes.

5252. How did you serve it?—Personally.

5253. When did you serve it?—On the 1st of April, for the 11th.

Cross-examined by Mr. *Robinson.*

5254. Did you know him before?—I was talking to him for a good while, and he told me he was the man.

5255. Where did you see him?—At the market, at Longford, and I gave it to him at the court-house.

5256. Had you known him before?—I had some idea of him; he was shown to me, and he said he was the man.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Whitesides.*

A. Johnstone.

5257. DO you know John Kearney, of Cartronawar?—I do.

5258. Did you know Morrison, the notice-server?—I do.

5259. Were you in Longford the day when he served the notice on Kearney?—I was.

5260. Was it market day?—It was.

5261. Did you see Morrison serve him with the notice?—I pointed him out to Morrison in the court-house, and I knew him.

5262. Had you been acquainted with Kearney?—I had.

5263. You knew the man?—Yes.

5264. Now, Johnstone, have you examined this farm?—Very, very often.

5265. It is in the barony of Ardagh?—It is.

5266. What kind of farm is it?—It is light shallow ground with a long tail of bog and bottoms at both ends.

5267. Now, not a head and tail?—No; two tails.

5268. What kind of house is on the farm?—Very bad.

5269. Cabin?—Yes.

5270. What is the highest rent you think a solvent responsible tenant in that country could afford to pay for this farm?—One pound ten shillings.

5271. Would that be the highest rent that could be paid for it?—I think it is the highest rent.

Cross-

Cross-examined by Mr. *Robinson.*

A. Johnstone.

28 April 1837.

5272. Did you go over the land carefully?—Yes; I suppose I have been on it a thousand times.

5273. Did you ever see a lime-kiln on it?—Yes.

5274. Would that make it worth more or less?—Something more.

5275. And has this place which he lives in always appeared to you to be a wretched cabin or a good dwelling?—The cabin is a very bad one; there are a parcel of loose stones like abutments placed at the side to keep it from falling.

5276. It is in a very bad state?—Yes.

5277. Is there not limestone there?—Yes.

5278. Is it not very valuable?—There are seven or eight lime-kilns on the same farm; if there was only one, it would be very valuable.

5279. Is the lime-kiln valuable there?—It is of some value.

5280. What is the value of the land without the tail you speak of?—Some part of it not worth any thing at all.

5281. What, is the other part good land?—I should say it would be dear at 1*l.* 14*s.* or 1*l.* 15*s.*

5282. How much is worth nothing?—There is a great deal better farm adjoining it.

5283. Answer the question, how much of it is worth nothing?—I cannot say.

5284. How many acres?—I suppose two or three, or there may be four, but it is worth very little or nothing.

5285. And you make the average come to 1*l.* 10*s.*?—Yes.

Re-examined by Mr. *Whitesides.*

5286. This is close to your own place?—Yes.

5287. *Committee.*] As you seem to be such a general valuer of land, you may tell us perhaps what value you put on the lime-kiln?—It would be very hard for me to do that.

5288. Does he sell much lime?—I suppose, may be, a kiln or two in the year.

5289. What is the quantity of a kiln?—I dare say, as kilns, something from 60 to 70 barrels. Taking the expense, the labour, turf, and the breaking of the stone, added to which, he has no horses to draw this lime itself, it must be of very little value indeed.

5290. Does the man sell the lime that is not used on his own estate?—I have bought lime myself of him, and I was obliged to draw it myself.

5291. What did you pay him for the lime?—I paid him sometimes 10*d.*, sometimes 6*d.*, and sometimes 1*s.*

5292. Per barrel?—Yes.

5293. What profit do you think he makes in a barrel of lime?—It must be very trifling, taking the manual labour of it.

5294. Mr. *Robinson.*] How far is this from Longford?—About three miles.

5295. The lime-kiln is no more than three miles from Longford?—Yes.

5296. There is a great demand for lime in Longford for building?—Yes, but there is a great quantity of lime to be had in the neighbourhood.

5297. *Committee.*] What is the contents of a barrel of lime; what is the weight?—It is about three hundred weight.

5298. Mr. *Whitesides.*] The price varies, I understand?—It does.

5299. *Committee.*] Do you mean to state one barrel would weigh three hundred weight?—Between two hundred weight and a half and three hundred weight.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Denis O'Connor, sworn.

Examined by Mr. *Robinson.*

5300. ARE you acquainted with the value of land?—I am.

Denis O'Connor.

5301. Did you go over the farm or estate of John Kearney, of Cartronawar?—I did.

5302. When was that?—The 6th or 7th February.

Denis O'Connor.

28 April 1837.

5303. Did you go carefully over it?—Yes.

5304. Did you find any dwelling-house on it?—Yes.

5305. In what state is it; have you got any note of it?—I have.

5306. Turn to it if you can; is that a note made by you at the time?—Exactly.

5307. Just read what you have got about this?—It is a very good dwelling-house, and a good barn and a cow-house for such class of persons in Ireland as those who hold 15 acres 2 roods.

5308. Just read it, will you?—"John Kearney, of Cartronawar, 15 acres 2 roods, 1*l.* 7*s.* 8*d.* an acre."

5309. That is what he pays?—Yes. "The land is good; an excellent dwelling-house, barn and cow-house," that is for such a class farm; there is waste to it, that it is worth to the man 6*l.* a year.

5310. Is that waste included in his lease?—Yes, I should think so; the waste is improved bog, and that I know is never measured on such land in Ireland; and there are very few lands more valuable than improved bog when they are brought into cultivation in Ireland.

5311. Is that waste enclosed?—Certainly; he grazes cattle on it; there is a lime-kiln on the farm also, and he sets turf-bank, which makes the farm more valuable for persons to cut turf at; he sets it to the lower class of cotters; this description of persons is not such as the lower class of persons; there are two or three grades of persons below him, unfortunately, in Ireland.

5312. Does that lime-kiln make it worth much more, in your opinion?—Certainly, it makes it more valuable for manuring, but I would not attach much importance to it.

5313. Is there also a demand for lime for building?—Yes, and he sells a good deal of it in the town of Longford, which is four miles from it, and it is very near the land of John O'Farrell, which are set at 2*l.* 8*s.* an acre.

5314. Is that land of the same soil?—I consider Kearney's to be as good a description of land as that.

5315. *Committee.*] As that for which 2*l.* 8*s.* an acre is given?—Yes.

5316. Mr. *Robinson.*] Taking all these things into consideration, what do you think is a fair rent for a tenant to pay for that land?—With the improvements, I think it worth 2*l.* 8*s.*, and if there were no improvements on it, I would say it is worth 2*l.* 2*s.*

Cross-examined by Mr. *Whitesides.*

5317. You need not go into the latter alternative, you know?—I say 2*l.* 8*s.*

5318. And that is a fair average rent for this particular part of the barony?—The view I take of it is, if this man was setting it, he would get from a solvent tenant 2*l.* 8*s.*; I do not mean to say, a man of large property when setting such a farm would get 2*l.* 8*s.* for it.

5319. You know, from your knowledge of the country, there is no such rent got by any gentleman as 2*l.* 8*s.* for a large property of this kind?—I am convinced that the tenant would not take 15*l.* over and above.

5320. Did you ever offer it?—No.

5321. Did you ever try him?—No.

5322. Then why do you take on yourself to tell the Committee on your oath, if you have no knowledge on the subject, that he would not take 15*l.* a year over and above the rent?—I would not be here if I had not a knowledge on the subject.

5323. Did you ever offer him any thing for the farm?—No; but I know the value of such farms in Ireland.

5324. Did you yourself ever offer him 10*l.* a year in Ireland?—I know what his common sense——

5325. Did you yourself offer 10*l.* a year for it?—I have told you I did not.

5326. Was you present when any body else offered him that?—I have told you I was not.

5327. Now, as to Mr. O'Ferrall's land, how far is it from this man's place?—I do not think it is half a mile from this place.

5328. How near does Johnstone live to this farm?—I believe about two miles, or something that way; I suppose Johnstone shot snipe on that farm. I beg leave to tell the Committee that some of the lands that are most valuable in Ireland are the best for snipe shooting at some seasons of the year; I had lands which never required to be manured, giving meadow worth from 5*l.* to 6*l.* an acre,

acre, and that was land which abounded with snipe. I have lands myself that for the last 12 years I have got from 5*l.* to 6*l.* an acre for without ever putting manure on it, and they abound with snipe. *Denis O'Connor.* 28 April 1837.

5329. The snipe are found in the prime meadow land?—I said that Johnstone might have said he shot snipe on the farm.

5330. Then you come here to speak to what Johnstone might have said, instead of giving evidence as to facts?—I come to give the facts, and to tell the whole truth as far as I could.

5331. Were you present when Mr. More O'Ferrall let the farm?—I was not; but I was along with my first cousin when he was receiving the rents, and I know it beyond a doubt.

5332. Were you present when he let the farm at 2*l.* 8*s.* an acre?—It is a well-known fact.

5333. This is worth 2*l.* 8*s.*?—Yes, with the improvements.

5334. Being let at 1*l.*?—I do not know what it is let at.

5335. Do you know the landlord?—I do.

5336. Is it Mr. Featherston?—It is.

Re-examined by Mr. *Robinson.*

5337. Do I understand there are bottoms along many of the farms about there?—Just so.

5338. Might not there be good snipe shooting on the bottoms when the rest of the land is of good quality?—Yes, just so, excellent grazing land, and snipes are abundant on that.

5339. Do you still say that in your judgment the land is worth how much per acre?—Two pounds eight shillings to a solvent tenant; I do not say if a man of large property was selling it, he would get that.

5340. You mean to say if such a person as the tenant was selling that land?—Yes.

5341. That is your deliberate judgment?—That is my conviction.

5342. Mr. *Whitesides.*] Did you read the lease?—I cannot say I did.

5343. You cannot say whether there is any thing in the lease as to the waste of which you spoke; can you state of your own knowledge whether there is one word in the lease from the beginning to the end about the waste?—I am confident the waste I mentioned was not measured, because it has been improved lately.

5344. Can you state to the Committee whether there is one word in the lease about the waste?—I have not seen the lease; I am almost certain I have not.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the vote of John Kearny be struck off the poll."

Mr. *Whitesides.*] The next is Thomas Farrell; 198 in the list, 253 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

5345. DO you produce the affidavit of Thomas Farrell?—I do. Mr. *J. V. Crawford.*

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present MAJESTY's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, Thomas Farrell, of Creevaghmore, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any

Mr. *J. V. Crawford.*

28 April 1837.

any parish or barony, lying and being at Creevaghmore, barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 26th day of April, in the year 1827; and that I am in the actual occupation thereof by residing; tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted he said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Truly read by me,
Michael M'Guin.

his
Thomas ⋈ Farrell.
mark.

Sworn and subscribed before me, in open Court, this 15th day of November 1832.

J. Doherty, Deputy Assistant Barrister

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Thomas Farrell, of Creevaghmore, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Creevaghmore, barony of Abbyshrule, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.

Certificate, No. 1,207—*Flood.*

J. V. Crawford, Clerk of the Peace.

Arthur A. Griffiths, sworn.

Examined by Mr. *Whitesides.*

Arthur A. Griffiths.

5346. HAVE you an entry of Thomas Farrell, of Creevaghmore?—Yes

5347. Were you present when he came up to be registered?—Yes.

5348. Was he objected to on the ground of value?—He was.

5349. What did he swear he had?—He swore he had 10 acres of ground, at 9*l.* a year; and he swore it was worth 2*l.* an acre.

5350. Did he produce any lease?—He did; but there is no memorandum of that here.

5351. Let me look at your book?—Here it is—[*handing it.*]

5352. Is this your writing?— No.

5353. Whose is it?—That is Gardiner's writing.

5354. Is that the Gardiner we have seen in court?—No.

5355. Did you see him write it?—Yes.

5356. Why did you not take it down yourself?—I could not write myself, and take the objections too; I employed him, and he took the note.

5357. You took the objections, and he made a note of what the answer was?—Under my directions, and we examined them each evening.

5358. You told him at the time to take down what took place, and in the evening you read it over?—And at the time I examined it.

5359. At what time?—At the time he wrote it.

5360. You say you were attending to something else?—I was instructing counsel to object; and at the same time desiring him to write down what was material.

5361. You say you depended on his writing down what took place?—He wrote no note that I did not approve of.

5362. When did you approve of it?—Immediately.

5363. Do you mean to swear that in every case, that as soon as that man's vote was disposed of by the registering barrister, you looked over the note?—Yes, and I went over it at night.

5364. In every case?—Yes.

5365. That you swear?—Yes; and I will tell you the reason; I thought I should be examined about it, and that we should require two witnesses for a particular purpose.

5366. How many clerks had you doing this?—I had only one clerk in that court at a time.

5367. Mr. Moore and Mr. Stephenson were not taking notes at the same time?—They were not.

[*The Witness was ordered to withdraw.*]

John

John Morgan sworn.

Examined by Mr. *Whitesides.*

John Morgan.

28 April 1837.

5368. DID you serve a notice on Thomas Farrell, of Creevaghmore?—I served a notice upon the girl in the house.

5369. What day was that?—On the 10th of February.

5370. For what day?—For the 28th.

5371. Did you see Thomas Farrell?—No.

5372. Do you know his farm?—I know his house.

5373. How did you know it?—I was shown it by the neighbours; and I was told by the girl that that was his house.

5374. That it was this Thomas Farrell's?—Yes.

5375. What did she tell you?—The girl of the house told me that it was the Thomas Farrell who voted at the last election.

5376. What kind of girl was she?—I think she was about 20 years of age.

5377. Did you know her before?—No.

5378. What did you tell her to do with the notice?—I told her to give it to him; and she told me he was in the King's County at the time.

[*The Witness was ordered to withdraw.*]

Robert Cox, called.

Examined by Mr. *Whitesides.*

Robert Cox.

5379. DID you examine a farm of Thomas Farrell, of Creevaghmore?—Yes.

5380. Of Abbyshrule?—Yes.

5381. Now, will you state to the Committee what you think is the highest rent a solvent tenant could afford to pay for it?—One pound ten shillings an acre.

Cross-examined by Mr. *Robinson.*

5382. How long have you known this farm?—Eighteen years.

5383. You went over it carefully?—I did.

5384. Do you know the boundaries?—There is a joint tenantry; I do not know the particular boundaries of it.

5385. Do you know what part belongs to Thomas Farrell, and what part belongs to the other?—I did not know the difference; I valued the farm together.

5386. You considered the whole of the farm of the same value?—I did consider it all of the same value; there is a part of the land covered with furze.

5387. Whose farm is that that adjoins or forms part of this land?—His brother's.

Re-examined by Mr. *Whitesides.*

5388. YOU said you have known it for 18 years?—For 20 years.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Thomas Bracken, called.

Examined by Mr. *Robinson.*

Thomas Bracken.

5389. DO you know the land of Thomas Farrell, of Creevaghmore?—I do.

5390. Did you go over it for the purpose of valuing it?—I did.

5391. Did you examine it carefully?—I did.

5392. What do you say it is worth per acre?—From the locality of it, and being near the town of Ballyhom, it would readily set at 2*l.* 2*s.*

5393. Do you think a solvent tenant would be able to pay that, supposing he was a tenant who required the farm?—I do.

5394. Do you know the land adjoining it, occupied by another Farrell?—Yes.

5395. Do you know the boundaries between the two?—Yes.

5396. Is not all the land much of the same description?—I think Thomas Farrell has the best land, but the other man has a better house on his land than Thomas Farrell.

Cross-examined by Mr. *Whitesides.*

5397. Then the value is much about the same thing?—It may be.

5398. Do you mean to tell the Committee that the land of this particular farm is good land?—It is not prime land.

Thomas Bracken.

28 April 1837.

5399. You admit it is not prime land?—I do.

5400. Is it not middling land, or very indifferent land?—There is no indifferent land on it.

5401. Do you think that for land, not prime land, 2*l.* 2*s.* an acre is a fair rent?—There is land on the other side of the road of the same quality, which is let at 1*l.* 18*s.* an acre, and the man gave 40 guineas fine.

5402. Who was that man?—His name was Nugent.

5403. Were you present when he paid the money?—No, but I knew it from himself.

5404. You were not present when he paid the money?—No.

5405. This is what another person told you?—Yes, what he told me.

5406. Do you mean to swear, that for land, which you admit not to be prime land, that 2*l.* 2*s.* an acre is the rent which a solvent tenant could afford to pay for that land?—Yes; and there is land in the neighbourhood of it, which is set at 3*l.* 3*s.* an acre.

5407. Who is it set to at 3*l.* 3*s.* an acre?—Andrew Johnstone.

5408. Were you present when he took it?—No.

5409. Has Andrew Johnstone been able to pay his rent?—I think the landlord he holds under would not allow him to remain there if he did not.

5410. Do you know there is a great desire on the part of people to take land at almost any rent at this place?—There is a desire among people to have land, of course.

5411. Do you happen to know, in the case of this man of the name of Johnstone, that his landlord has been sueing him for the very rent you have been speaking about?—I do not know of any such thing.

5412. Does Mr. Featherstone live on the land?—No, nor near it.

5413. What land are you speaking of?—I am speaking of that land of Creevaghmore, which is set by James Dillon, of the city of Dublin, to Andrew Johnstone.

5414. Is he a middle-man?—Yes.

Re-examined by Mr. *Robinson.*

5415. This land of Andrew Johnstone is what you call prime land?—Yes.

5416. What does he let it for?—Three pounds three shillings.

5417. This is not such a good farm as that?—No.

5418. Taking into consideration the vicinity of the town you spoke of, and its present condition, you say the value is, how much?—Two pounds two shillings.

5419. That you adhere to?—Yes.

[*The Witness was then ordered to withdraw.*]

The committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the vote of Thomas Farrell be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Francis Donaker; 210 on the list, and 10 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

5420. DO you produce the affidavit of registry of Francis Donaker?—I do.

[*The following Document was handed in:*]

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose, I, Francis Donaker, of Rickfort, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.*, above all rent and charges payable out

out of the same, except only public or Parliamentary taxes, county, parish or town cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Rickfort, barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 9th day of April in the year 1834; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Mr. *J. V. Crawford.*

28 April 1837.

Truly read before me,
*Mich*l *M*c*Guin.*

his
Francis ⋈ *Donaker.*
mark.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.

J. Doherty, Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Francis Donaker, of Rickfort, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Rickfort, barony of Ardagh, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1228.
Pd *J. Y. C.*
Revd Mr. *Farrelly.*

James Gauly, called.

Examined by Mr. *Wrangham.*

Jmaes Gauly.

5421. LOOK at Francis Donaker; have you an entry of him?—I have.
5422. Were you present when he came up to be registered?—I was.
5423. Was he objected to on the ground of value?—He was.
5424. What was the quantity he held, and what was the rent he paid?—Fifteen acres and a half, at 18*s.* 5*d.* an acre.

Cross-examined by Mr. *Robinson.*

5425. Were there any witnesses examined as to value?—I have no note of witnesses being examined on the subject.
5426. You do not know of anybody else being examined but the voter himself?—No.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Wrangham.*

Andrew Johnstone.

5427. DID you serve a notice on Francis Donaker?—I did.
5428. When did you serve it?—The 15th of February.
5429. How did you serve it?—Personally.
5430. For the 28th?—Yes.

Cross-examined by Mr. *Robinson.*

5431. Did you know him personally?—I did.
5432. Did you know him before that time?—Yes.

[*The Witness was ordered to withdraw.*]

James R. Richardson, called.

Examined by Mr. *Whitesides.*

J. R. Richardson.

5433. I AM instructed that you are the landlord of Francis Donaker?—I am.
5434. What number of acres does he hold from you?—Fifteen acres and a half, at 18*s.* 5*d.* an acre.

J. R. Richardson.

28 April 1837.

5435. He holds it at 18*s.* 5*d.* an acre?—Precisely.

5436. What is the highest rent, according to your knowledge of the land on this farm, which you think a solvent tenant could afford to pay for it?—One pound five shillings an acre is the most I should expect to get for it now.

5437. Would you get that from a solvent tenant?—I think I should.

5438. *Committee.*] Has he a lease of it?—He has.

5439. For what term?—One life, or 21 years, from the year 1825.

5440. That is the usual tenure?—Yes.

Cross-examined by Mr. *Robinson.*

5441. Is there a good house upon it?—There is a very comfortable house upon it.

5442. Is he a well-circumstanced tenant?—He is.

5443. Pays his rent properly?—He does.

5444. Has he any family?—He has.

5445. Does he support them out of the farm?—He does.

5446. Do you know of his having any other means of supporting them?—I do not.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is my case.

Denis O'Connor, called.

Examined by Mr. *Robinson.*

Denis O'Connor.

5447. DO you know the land of Francis Donaker, of Rickfort?—Yes.

5448. Did you go carefully over it, for the purpose of ascertaining its value?—I did.

5449. What do you think it is worth per acre, including the house and offices that are there?—The house alone, with the stable, was set at 10*l.* a year ago; and the man has laid out more money on it since, to my knowledge.

5450. What do you say, the house and stables?—The day I viewed it, he expressed his surprise that I came to view it at all; for he certainly has a 20*l.* interest, and not a 10*l.*; it would set for 20*l.* a year more.

5451. *Committee.*] You say the house may let for 10*l.*—Yes.

5452. Is it now let for 10*l.*?—He wanted to improve it a little more, and he expected to get a higher rent from the person who had it; he has fitted it up as an uncommon nice cottage, with what is not usual in Ireland, grates and windows.

5453. We take it this is a much better house than the majority of houses on the farms?—Certainly; I am surprised it should be so much brought in question.

5454. In what state of cultivation was the farm?—In a very good state of cultivation.

Cross-examined by Mr. *Wrangham.*

5455. Let me look at that note, will you?—I will [*handing it.*]

5456. We have heard something about a 50*l.* freeholder?—I say a 50*l.* freeholder might as well be impeached as this man for a 10*l.*

5457. You do not mean to say this man has a 50*l.* interest?—I say no such thing; I say others might as well be impeached for a 50*l.* as he for a 10*l.* I know 50*l.* freeholders who are registered, who have not beyond the 50*l.* as much as he has beyond the 10*l.*

5458. You say he has a 20*l.* beneficial interest?—I consider he has.

5459. You mean to abide by that?—I do.

5460. That his holding would let for 20*l.* over and above what he pays?—Taking it for granted he has the number of acres he told me, and that are there.

5461. I am talking of 15 acres two roods?—I am talking of 16 acres two roods; it is only the difference of an acre.

5462. Therefore you say, if he had two roods more, he would be a 20*l.* freeholder?—I think he would have a 20*l.* interest.

5463. Do you mean to say 20*l.* over and above?—I do.

5464. *Committee.*] How much do you put it at per acre?—About two guineas an acre; I did not calculate it in that manner at all, for I thought that would never have been brought on; 2*l.* an acre I put it down at.

5465. Mr. *Wrangham.*] How did it happen you took a note and valued the land,

land, if you thought it never would be brought on?—For the best reason in the world; I know the modesty of the gentleman behind you, and I knew he would impeach a 50*l.* vote to serve his part. *Denis O'Connor.* 28 April 1837.

5466. Why was it, if you believed, and if it was your conviction that this vote would not be questioned, why did you go over the farm to value it?—Because I knew he would impeach, as he has impeached, 20*l.* votes in that county; I know well what he was capable of.

5467. Mr. *Whitesides.*] That is the explanation you give?—Just so.

5468. Mr. *Robinson.*] Did you value other farms which you believed to be good freeholds?—I valued every single farm in the barony; I considered it my duty to do so, when I took it on myself.

5469. *Committee.*] This is a particular farm, which, in your opinion, you thought it was impossible to impeach?—I declare I think so still, and I am surprised any man should come in to swear away that man's freehold; he has a better interest than the landlord himself, and the landlord is no judge of land.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the vote of Francis Donaker be retained on the poll."

Sabbati, 29° *die Aprilis*, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Wrangham.*] The vote we now proceed with is the vote of Patrick Kenny; 47 on the petitioners' list, 123 on the poll.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Wrangham.*

5470. DO you produce the affidavit of registry of Patrick Kenny?—I do. Mr. *J. V. Crawford.* 29 April 1837.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third years of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose, I, Patrick Kenny, of Lisduffmontgomery, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Lisduffmontgomery, and barony of Moydow, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of May in the year 1827; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Patrick Kenny.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

---

29 April 1837.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Kenny, of Lisduffmontgomery, in this county, farmer, was this day duly registered before me as a voter for the county, in right of a freehold of the yearly value of 10*l.*, situate at Lisduffmontgomery, and barony of Moydow, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John Crawford, Clerk of the Peace.

Certificate, No. 916.

George Gardiner, sworn.

Examined by Mr. *Wrangham*.

G. Gardiner.

5471. WERE you present at the Reform registration, when Patrick Kenny came up to be registered?—I was.

5472. Was he opposed on the ground of undervalue?—He was.

5473. Out of what did he swear, how many acres?—He produced a lease of 13 acres 1 rood, yearly rent 26*l.* 10*s.*, and an addition of three acres of bog.

5474. Is the bog included in the 13 acres?—No.

5475. Did he separate them, or did you separate them; is the bog in the lease?—The bog was an appurtenant; the lease specifies 13 acres and 1 rood of land, and those three acres of bog.

5476. It is part of the holding?—Yes.

Cross-examined by Mr. *Robinson*.

5477. Was there a discussion on both sides as to the value?—There was.

5478. Witnesses examined?—No, there were no witnesses examined.

5479. Were there any witnesses examined against the vote as to value?—No witnesses were examined.

[*The Witness was ordered to withdraw.*]

William Morrison, sworn.

Examined by Mr. *Wrangham*.

William Morrison.

5480. DID you serve a notice to produce on Patrick Kenny, of Lisduff?—Yes.

5481. On whom did you serve it?—On himself personally.

5482. When?—On the 5th of April, for the 11th.

Cross-examined by Mr. *Robinson*.

5483. Did you know Patrick Kenny before?— Yes, I had seen him before.

5484. You knew his person?—He walked the length of the field from the house with me.

[*The Witness was ordered to withdraw.*]

Andrew Brock, sworn.

Examined by Mr. *Wrangham*.

Andrew Brock.

5485. DO you know the lands of Patrick Kenny, at Lisduff?—I do, very well.

5486. I believe you have very good reason to know them?—I have.

5487. Are you the agent for that property?—I am.

5488. And have you known it perfectly for many years?—I have known it very well.

5489. As agent?—Yes, as agent.

5490. You know, of course, at what rent the land is held; will you tell the Committee whether you think it will bear an additional rent, and, if so, how much?—I consider the rent a rack-rent.

5491. *Committee.*] How much an acre do you put it at?—Forty shillings an Irish acre for the 13 acres and a rood.

5492. Mr. *Wrangham.*] We have heard there are three acres of bog?—They are cut-away bog, and the tenant never makes use of it.

5493. Throwing in the three acres of bog to the 13 acres of reclaimed land, you do still adhere to your opinion the whole is let at a rack-rent?—I do; and I consider, if the three acres of bog were to be used as intended, by being reclaimed, as the agent or the landlord would direct, it would make the ground still higher.

5494. *Committee.*]

5494. *Committee.*] The expense would be more than the value of the land?—exactly so.

Cross examined by Mr. *Robinson.*

5495. Do you consider it is better or worse for a farmer to have the opportunity of making use of that bog; do you consider that an advantage or not?—I consider it no advantage at all.

5496. How long have you known this land?—I have known it for the last 10 years, but not as agent so many years.

5497. Did you know it when it was held under another lease; did you know what the rent was before?—I did not know what the rent was before I became agent.

5498. Can you tell us?—Nothing but by report.

5499. Is there a dwelling-house upon it?—There is a house on it, in which the tenant dwells.

5500. Can you tell us whether Patrick Kearney gave any fine for his present lease?—He advanced a half-year's rent, which is to be allowed.

5501. When was that?—On the taking out of his lease.

5502. When was it?—I cannot exactly tell.

5503. *Committee.*] Was it when he came into his holding?—Yes, when he came into his holding.

5504. Mr. *Robinson.*] How long have you known Patrick Kearney himself?—Four years.

5505. Has he been in this all that time?—Yes.

Re-examined by Mr. *Wrangham.*

5506. About the half-year's rent which he paid in advance, will you tell the Committee the reason why that half-year's rent was taken in advance, if you know it?—I do not exactly know the reason.

5507. Have you seen the lease?—I have seen it.

5508. What are the terms of the lease?—Forty shillings per Irish acre; there are 21 acres of land, but there are five acres of the bog which I have just described.

5509. *Committee.*] How many acres are there of land which you consider useful for tilling or grazing?—Thirteen acres.

5510. How do you make 21?—There is a large tract of cut-away bog attached, and it was put into the lease, I believe.

5511. Then you admit there are near 7 acres 3 roods of the bog?—He is not in the possession of it; I do not admit it.

5512. How do you make 21 acres?—I cannot say.

5513. Have you got the lease?—I have not.

5514. Have you read the lease?—I have read part of it, not the whole.

5515. Where is the lease?—In Dublin.

5516. What is the quantity described in the lease?—Twenty-one acres.

5517. What is the gross rent for the 21 acres?—The gross rent is 26*l.* 10*s.*; but I think I ought to remark, that the bog which is included in his lease is not in the possession of the tenant, and for this reason that other tenants hold it.

5518. Yet I understand you it is described in the lease, for which this person is responsible to pay 26*l.* 10*s.*; have you read the lease?—I have read as to the quantities.

5519. You admit he holds 21 acres, at a rent of 26*l.* 10*s.*; the lease states the quantity is 21 acres, and the rent is 26*l.* 10*s.*?—The lease shown to me.

5520. Are there any other conditions in that lease of the terms of holding?—I do not recollect any particular conditions.

5521. Is there a number of years described?—I believe there are.

5522. And a life?—I cannot exactly say.

5523. Do you believe that fact?—I had a very short time to look at the lease.

5524. Are you not agent of the estate?—I am.

5525. How is it you are not better acquainted with the particulars, then?—The leases of the estate were in the possession and are in the possession of a Mr. Bate, the attorney.

5526. Is the property, then, mortgaged?—I cannot say.

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5527. Mr. *Robinson.*] Is that gentleman you mentioned in London now?—I cannot say.

5528. You have not seen him?—I have not seen him.

5529. Is he not the agent in the Carlow Committee?—I really do not know.

5530. Mr. *Wrangham.*] You say in a lease which has been shown to you there are 21 acres mentioned?—Yes.

5531. Do you know whether that is the lease of this land of Lisduff out of which Patrick Kearney registered?—I cannot tell exactly.

5532. Do you know, as agent of the estate, whether or not Patrick Kearney is in possession or the occupation of 21 acres of land?—I do believe he is not; I know he is not.

5533. In the possession or occupation of how many acres of land is Patrick Kearney?—Patrick Kearney is in the occupation of 13 acres and 1 rood of land, with the privilege of cutting turf on three acres of bog.

5534. Do you know, then, as agent of the estate, the voter's occupation is limited to 13 acres of land, as you call it, with the privilege of cutting turf on three acres of bog?—I know that.

5535. Do you know that for that he pays the rent which you have mentioned, of 26*l.* 10*s.*?—I did.

5536. What became of the five acres of land, which is to make up the 21, the amount of average mentioned in the lease?—I cannot tell you more particularly than by the report of the other tenants; they say they are in the possession of that bog, and that Mr. Montford, the landlord, could not lease it; they have leases of it.

5537. Is the voter, in point of fact, in the occupation of that five acres, or not?—He is not.

5538. That you can say positively?—I can.

5539. *Committee.*] How came it in the lease, then?—I cannot say.

5540. He pays rent for it, does he?—He does not pay rent for it; it is not included in the 13 acres 1 rood; it is mentioned in the lease, but I consider it is of no advantage at all.

5541. Mr. *Wrangham.*] Is he, in point of fact, paying the rent of 26*l.* 10*s.* for the 13 acres 1 rood?—Decidedly.

5542. The bog is thrown off as a matter of privilege?—Decidedly; and he gets turf on part of this ground of 13 acres and 1 rood for which he pays.

5543. Part of the 13 acres he cuts turf on?—It is bog.

5544. *Committee.*] To what purpose does he apply this bog?—I cannot tell you; I do not think he applies it to any purpose.

5545. How long have you been agent to this estate?—From 1832.

5546. And have you received the rent constantly from this voter, Pat Kearney?—Yes.

5547. Did he ever say there was any thing more that ought to belong to him?—Certainly not.

5548. Never objected in paying his rent?—Never.

5549. Never said he did not hold all he was paying for?—He never said he was paying for any ground he had not, or that he had a right to any more.

5550. As agent for that property, if the tenant was in arrear of rent, you would distrain, according to the conditions and terms of the lease?—I would distrain for the rent he was in the habit of paying me.

5551. For the total amount of 21 acres?—I would go to the grounds out of which he does pay me the rent, those grounds which he does till; I certainly would not go to the bog; I should not know the part of the bog that was his.

5552. Supposing the bog was reclaimed, you would go to the bog?—Yes, if the bog was reclaimed.

5553. If the cattle of this tenant was in the bog, you would go to the bog to distrain his cattle?—If I knew the part of the bog that was his, I would.

5554. Would you go on the three acres or the five acres to distrain the cattle of Patrick Kearney?—I would go on the part of the bog which he has in possession.

5555. Which is that?—The three acres.

5556. Would you not go on any part which is contained in the 21 acres?—I cannot tell you more than that it is mentioned in the lease.

5557. What do you mean by the bog being no advantage to him?—In the present state it is an advantage in the cutting of turf.

5558. He cuts turf there, does he not?—Yes, he does.

5559. Is

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5559. Is not the cutting of turf a great advantage?—It would be an advantage if he was allowed to dispose of it.

5560. Is it not an advantage to himself; he burns turf?—The bog has been cut for many years.

5561. Is not that an advantage to him?—Certainly it is not an advantage to cut turf in a bog that is cut away.

5562. Then the turf has been cut away?—It has.

5563. There is more to cut?—There might be some at the bottom, but it is under water.

5564. Some saturated with water, is there?—Yes.

5565. There is no turf that can be cut, is there; no turf can be cut there to any advantage?—Not in that cut-away bog.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is my case.

Francis Davies, sworn.

Examined by Mr. *Robinson.*

Francis Davies.

5566. DID you go and value the land of Patrick Kearney, of Lisduff?—I did.

5567. When?—Some time in the month of February.

5568. Is there a dwelling-house and offices on it?—There is.

5569. In what state are they?—In a comfortable state; a very comfortable farm-house and offices.

5570. Do you consider it an advantage or not, to have bog to turn your cattle on or cut turf on?—It is an advantage in a farm.

5571. Do you consider it a considerable advantage or not?—I consider it a very great advantage to a farmer to have bog attached to his land.

5572. What do you say the value is per acre that a solvent tenant would be able to give for it, taking it altogether?—From 2*l.* 13*s.* to 2*l.* 14*s.* an acre.

5573. In that you take in the accommodation that is derived from the bog, the advantage you get from the bog, you include that?—I think the bog is worth more.

5574. Do you mean that the 13 acres would be worth that without the bog?—I do.

5575. What quality is the land there?—It is very fine tillage land.

5576. The bog would add something to the value which you have mentioned?—I think it would.

Cross-examined by Mr. *Wrangham.*

5577. Do you know how many acres he holds?—Something about 13 or 13½.

5578. Then you think he could afford to pay thirteen times 2*l.* 13*s.*?—I think every acre is worth it, taking the convenience of the good house and offices on it.

5579. Taking all these matters together, you say the rent he could afford to pay for what he holds is thirteen times 2*l.* 13*s.* an acre; is that so?—It is.

5580. You talked about the bog; pray what sort of a state is this bog in; is it dry bog, or very wet bog?—There is part of it fit for pasturage; reclaimed bog.

5581. Is not it a very wet bog?—No it is not.

5582. Is it any part of it cut, cut for turf?—Very little.

5583. This comfortable house and offices that you spoke of, what are they made of?—They are built of stone and mortar.

5584. Are you quite sure there is no mud in them?—I am sure there is no mud in the dwelling-house.

5585. I do not say the dwelling-house; the house and offices together?—There is none in the offices.

5586. Why did you limit your answer to the dwelling-house?—I wished to mention each particular.

5587. Do you mean to say, when I asked you a question about the house and offices, and you answered only as to the dwelling-house, that you did not mean to convey to the Committee that there was mud in the offices?—Indeed, I did not.

5588. *Committee.*] How many acres of bog do you make it?—About four acres.

5589. It is not under water?—It is not.

Francis Davies.

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5590. Can he cut turf there?—The greater part is in pasture, fit to feed cattle.

5591. What value would you put on the bog per acre, separate from the other?—I would put it from 1*l.* 4*s.* to 1*l.* 5*s.* an acre.

5592. Do you know what fine Patrick Kearney paid, of your own knowledge?—I do not know what fine he paid.

5593. Mr. *Robinson.*] Is it not very common in Ireland for very good farm-houses to be built of what they call mud?—It is quite common where there is no facility of getting stone.

5594. Mr. *Wrangham.*] Are those what are in Ireland called good houses?—Yes.

5595. *Committee.*] Pray do you know any thing of this tenant having more acres, or the right of turning out and cutting turf on more acres of bog than three?—He has the commonage of a bog; I do not know how many acres.

5596. Besides his own holding?—Yes.

5597. What do you call commonage; do you mean to say he has the right of turning out cattle on a bog?—I do; he has the right.

5598. On another part of the bog, which is not included in the part you mention?—Yes.

5599. He has that right?—So the man told me himself.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Patrick Kearney be retained on the poll."

Mr. *Wrangham.*] The next is Bryan Manion; 7 on the poll; 192 on the list.

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

5600. DO you produce the affidavit of Bryan Manion?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose: I, Bryan Manion, of Keel, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from , of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Keelbawn, and barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 16th day of January in the year 1832; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Bryan ⋈ Manion.
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832.

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY

ENTRY of CERTIFICATE of REGISTRY. 29 April 1837.

County of Longford.

THIS is to certify, That Bryan Manion, of Keel, in the county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Keelbawn, and barony of Abbyshrule, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
Certificate, No. 543. *John V. Crawford*, Clerk of the Peace.

Arthur A. Grffiths, sworn.

Examined by Mr. *Whitesides*.

A. A. Griffiths.

5601. WERE you present when Bryan Manion came up to be registered?—I was not present at the actual opposition, but he was opposed; I marked him the night before for opposition.

5602. Whose handwriting is that in the book?—It is a memorandum of Mr. Moore who is dead.

5603. Who was Mr. Moore?—He was a clerk employed by me to take the notes.

5604. For what purpose was he employed?—For taking the notes of those who came up to be registered.

5605. At what registry?—At the sessions of November 1832.

5606. Did he act at that sessions as your clerk?—He did.

5607. Did you see him acting there?—I did.

5608. Was he under your direction?—He was.

5609. To take down those entries?—Yes.

5610. Is he dead?—Yes.

5611. You know his handwriting?—I do, and I received these notes from him.

5612. From himself?—Yes.

5613. Is there an entry in this book of the fact of opposition to this voter?—There is.

5614. *Committee.*] Those objections were made in open court?—They were.

5615. And there were several persons present when the objection was made?—Yes.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* objected to this vote being further proceeded with, on the ground that sufficient evidence had not been produced of an objection having been taken before the registering barrister.

Mr. *Whitesides* was heard in answer to the objection.

Mr. *Robinson* replied.

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That sufficient evidence has not been adduced to prove an objection having been taken to the claim of Bryan Manion."

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

5616. WERE you at the registry sessions of 1832?—I was.

5617. Can you state to the Committee, of your own knowledge, whether a person of the name of Bryan Manion, of Keel, came up to be registered?—I had notes myself of all the objections, and previous to the 5th November, the day on which this man was registered, I lost some of my notes; on this day, the 5th November, I was by when this man was objected to and his case very long investigated.

5618. Who were the counsel present at that registration?—Counsellor Sendrick opposed him and Counsellor Thetton supported him.

5619. And I understand you to state to the Committee, you have a distinct recollection of the fact of his having been opposed and counsel arguing *pro* and *con*?—I have a positive recollection.

George Gardiner.

29 April 1837.

Cross-examined by Mr. *Robinson.*

5620. Have you not got your notes with you now?—I have.

5621. In all the other cases you have looked at your notes?—I have.

5622. In this case, you are able, without looking at your book, to recollect distinctly?—I am.

5623. Now, Counsellor Sendrick and Counsellor Thetton were persons who examined and cross-examined all the persons objected to?—No.

5624. What other counsel?—Counseller Sendrick did cross-examine on the conservative side in that court, but there were various other counsel on the other side.

5625. Whose court were you in?—Mr. Fosbery's court.

5626. Did you know a person of the name of Moore?—He was in Mr. Fosbery's court at the same time.

5627. Who was the other barrister?—Mr. Doherty.

5628. Whose business was it to be there on your side?—A person of the name of Ganly, and another of my name also.

5629. Which court did you usually be in?—Always in Mr. Fosbery's.

5630. Now, as this long investigation took place, will you tell us something that took place during the investigation?—I will.

5631. Tell us something?—He produced a lease made to him by his father in the year 1832, conveying to him 15 acres, at 13 *s.* Irish an acre, and referred to the value of other lands set by gentlemen in the neighbourhood.

5632. Do you recollect any particular lands he referred to?—I recollect him referring to lands of Mr. Graham's, in the neighbourhood.

5633. How many persons did you hear objected to on that day?—Every person that came forward.

2634. You heard every person objected to that came forward?—Yes.

5635. When did you lose those notes?—I lost them during the time of the registration.

5636. You have not seen him since?—No, but I have seen the notes taken by my contemporary acting with me at the same time.

5637. How recently?—As recently as to-day.

5638. As recently as 10 minutes ago?—I have.

5639. Have you seen them since Mr. Griffiths went out?—No.

5640. Will you swear that?—Not since Mr. Griffiths last came out of this court.

5641. How many minutes ago is it since you saw them?—I suppose it is 15 minutes.

5642. Was it since Mr. Griffiths was first called into this room or not that you saw them last?—It was since he first came in; I saw them yesterday and many days.

5643. You took a very active part in this registration?—I did, as a clerk; I took notes, and I calculated also.

5644. Whose tenant is Bryan Manion?—His father, Andrew Manion, is tenant to Lady Ross.

5645. Whose interest were you supporting?—Lady Ross.

5646. *Committee.*] The particulars which you have given us, as to the quantity and rent of this person, were collected from a book in the possession of a person just in this room?—They were.

5647. If you had not seen that book, you could not have given us those particulars?—I could, for I had a perfect recollection of it.

5648. Mr. *Whitesides.*] Do you know this man, Bryan Manion?—I do.

5649. He and his father were tenants of Lady Ross?—They were.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the proof of objection to the vote of Bryan Manion is sufficient."

John Morgan, sworn.

Examined by Mr. *Whitesides.*

John Morgan.

5650. DID you serve a notice to produce on Bryan Manion, of Abbyshrule?—Yes.

5651. What day did you serve it?—On the 16th, for the 28th.

5652. Mr.

John Morgan.
29 April 1837.

5652. Mr. *Robinson.*] Who did you give the notice to?—A man in a house told me it was Bryan Manion's house.

5653. What house?—Bryan Manion's house.

5654. How do you know it was Bryan Manion's house?—I was told so by a gentleman who lives within a few perches.

5655. Who was the gentleman you were told by?—Mr. Breaden.

5656. Is he here?—No, I believe not.

5657. Did you know Bryan Manion before?—No.

5658. Have you ever seen him since?—No.

5659. And you gave him this notice?—Yes.

5660. Mr. *Whitesides.*] Is this the Bryan Manion of the lands of Keel?—Yes.

[*The Witness was ordered to withdraw.*]

Robert Cox, sworn.

Examined by Mr. *Whitesides.*

Robert Cox.

5661. DID you examine this farm of Bryan Manion, of Keel?—Yes.

5662. Do you know the land in that district of country?—I do.

5663. How do you happen to know the value of it?—I lived within two miles and a half of it for 15 years.

5664. Did you examine this farm of Bryan Manion?—I was well acquainted with it.

5665. State to the Committee what is the highest rent that farm will bring in the market by a solvent tenant?—Twenty-three shillings is the highest rent I think it would bring.

5666. How many acres is it?—I cannot say how many acres there is of it; I valued the whole farm together; taking the whole into consideration, I am sure 1*l.* 3*s.* is a fair price for it.

5667. Do you know what land near it sets at?—I know better land is set at 1*l.* 1*s.* Irish, close beside it; my brother-in-law has it.

5668. You say your brother-in-law has taken another farm, at what rent?—At one guinea Irish.

5669. Is that as good land as Bryan Manion's?—Better.

5670. And you think that a fair rent?—I do.

5671. *Committee.*] How much is that?—One guinea British; before the alteration in the currency it was 1*l.* 2*s.* 9*d.*

Cross-examined by Mr. *Robinson.*

5672. Let us see the memorandum you were to bring with you to-day?—I will.

5673. Turn to this person, Bryan Manion?—Here it is. [*Handing it.*]

5674. When was this written?—It was the 15th or 16th of February last.

5675. This very paper?—That very paper, and here is the copy of it that I mad from that.

5676. Does this contain all the farms you viewed?—Yes.

5677. This seems to be as clean as the one you brought yesterday?—I laid it by.

5678. Was this written on the field, or after you got home?—Part of it I wrote on the field; I never went home to the house until I had finished all the writings; I have wrote some in the fields and other places; I wrote it wherever I could sit down.

5679. Did you value it all in February?—I did.

5680. Did you value any in January?—I commenced to value, I think, two days previous to the 14th.

5681. I see, from this book, it begins on the 14th of February, and then goes back to January; how is that?—I did not enter it down at the day; there is one farm I inspected previous to that, and I began on the 14th.

5682. How is it that the first page in this book is February the 14th, and the next page is January the 18th?—It is a mistake.

5683. Do you mean to swear that is the original entry you made at the time, or is it a copy of others?—This is a mistake, it ought to be February.

5684. Do you mean to swear you took these notes in the field?—I entered part of them in the first place I could get to sit down to write.

Robert Cox.

29 April 1837.

5685. Were they both written at the same time; these two lines?-- [*pointing them out*]—I only took a view of the farm; I did not value it.

5686. You did not value all that are down there?—I was beat off the land and hunted, and I could not take down all that; a party, with unlawful weapons, attacked me, and I entered these two down, that I might inspect them when I was on the field.

5687. You have talked to us about the land of your brother-in-law; what is his name?—James Dimond.

5688. Were you present when he took the land?—No.

5689. Do you not know he gave a considerable fine for that land?—I think not.

5690. What do you call a considerable fine; what did he give?—I do not think he gave any fine at all.

5691. Did he give any fine for the tenancy?—It was from Mr. Nugent he took the land.

5692. Do you mean to swear he did not?—Not to my knowledge.

5693. Do you mean to swear you never heard him say he gave a fine?—I did not.

5694. Never?—I know he had no money to give at the time; he was living with his father.

5695. Who is his father?—He is not alive now; he was Jack Dimond.

5696. Was Jack Dimond alive at that time?—He was.

5697. What was he at his trade?—A farmer.

5698. Then all you know about the guinea an acre was what your brother-in-law told you?—I heard him say so.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Thomas Bracken, sworn.

Examined by Mr. *Thesiger.*

Thomas Bracken.

5699. DO you know the farm which is held by Bryan Manion?—I do.

5700. Have you known that farm long and well?—I have known it 15 or 16 years.

5701. Did you ever go over it at any time for the purpose of valuing and seeing what it was worth per acre?—I did.

5702. When was that?—In this present month of April.

5703. Now, did you go carefully over the farm, to ascertain its fair value?—I did.

5704. In your judgment, what is it worth per acre to let to a solvent and responsible tenant?—In the present condition of the farm it would go from 1*l.* 14*s.* to 1*l.* 15*s.* an acre, including the house.

5705. Was that the judgment which you formed at the time, and which you are now prepared to abide by on your oath, as to the value?—Yes.

Cross-examined by Mr. *Wrangham.*

5706. You have valued it in this present month of April?—Yes.

5707. How came you not to value it at the same time that you was valuing the others?—I had no idea that that farm would be impeached, and I did not go in on it.

5708. Is it not the fact that the instructions of the Liberal Club to you were to value all these 10*l.* farms?—Yes.

5709. Why did you not comply with it?—I was appointed for the barony of Rathcon; this is situated in the barony of Abbyshrule.

5710. Who were appointed for the barony of Abbyshrule?—Mr Wallace and Mr. Magrath; and Mr. Magrath did not go, and then I went along with Mr. Wallace; but Wallace was not on this farm.

5711. Why is it that, in April, you do think it might be a vote objected to, when, in February, you thought it was not?—Manion told me he was served with a notice.

5712. Have you got your book of valuation here?—I have.

5713. Just produce it?—I will. [*Handing it.*]

5714. When did you make it?—The day before the date, I believe.

5715. Did you make it on the spot?—Yes, on the spot.

5716. In

5716. In the house, or in the fields?—In the house, after passing through the land. *Thomas Bracken.*

29 April 1837.

5717. You wrote that down there?—Yes.

5718. These letters and figures here?—Yes, these letters and figures.

5719. Mr. *Thesiger.*] Mr. Wallace agreed with you in your valuation?—Wallace was not on that farm.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Bryan Manion be struck off the poll."

Mr. *Whitesides.*] The next is John Montgomery; 90 on the poll, 288 on the list.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

5720. DO you produce the affidavit of registry of John Montgomery?—I do. Mr. *J. V. Crawford.*

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections within the Act passed in the 2d and 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, John Montgomery, of Cartronawar, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any town-land or division of any parish or barony lying and being at Cartronawar and barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 24th day of July in the year 1823; and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Truly read by me, *John Kearns.*

his
John × *Montgomery.*
mark.

Sworn and subscribed before me, in open court, this 22d day of October 1832.

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Montgomery, of Cartronawar, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cartronawar and barony of Ardagh, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate No. 548. *John* V. *Crawford,* Clerk of the Peace.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

5721. WERE you present when John Montgomery came up to be registered?—I was. *Arthur A. Griffiths.*

5722. Did you oppose him?—I did.

Mr. *A. A. Griffiths.*
29 April 1837.

5723. On what ground?—On value.

5724. Out of what did he swear?—He swore having nine acres three roods at 1 *l.* 10 *s.* Irish per acre.

Cross-examined by Mr. *Thesiger.*

5725. What memorandum is it you are looking at?—I am looking at a memorandum made by my clerk at the time.

5726. What was his name?— Mr. Moore.

5727. Was Moore alive or dead?—Dead.

5728. Do you know of any thing of that yourself?—I do; I was present.

5729. How many clerks did you emply at that time?—I had this clerk for taking down the notes, and I had a second clerk who also kept a check, and calculated the rents where they were in bulk; he also used to make calculations of the acreage.

5730. Were there two courts sitting?—No, not at that time.

5731. What were you employed in doing?—In opposing the registration.

5732. What registry are you speaking of?—The registry of 1832.

5733. Do you mean to say there were not two barristers sitting on that registry?—I mean to swear that there were not at that time.

5734. Which time?—The time that the men came up to be registered.

5735. When was that? state to me the day?—It was the 5th of November, I think; if you will allow me to look at the book, I will tell you; it was the 5th of November.

5736. Do you mean that there were not two barristers sitting, holding courts at that time?—I do.

5737. You were present at the time Montgomery came up?—Yes.

5738. Then you have a perfect recollection without reference to that?—Yes, because I knew the man.

5739. What did you look at the book for?—Because I wished to see the note; I knew him very well; I got him the farm, and I advised him not to register, and he said he was forced.

Re-examined by Mr. *Wrangham.*

5740. You were making the objections, and the clerks were sitting by you taking notes?—Exactly.

5741. The clerk was taking notes under your eye in the court?—Yes, and any notes that were not taken under my eye I will mention when I come to them.

5742. Mr. *Wrangham.*] You said 1 *l.* 10 *s.* Irish; what is 1 *l.* 10 *s.* Irish?—It is a deduction of eight per cent. less than British currency.

5743. Can you tell us of your own knowledge what sum in British currency 1 *l.* 10 *s.* Irish would be?—One pound seven shillings.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by *Wrangham.*

Andrew Johnstone.

5744. DID you serve a notice on John Montgomery to produce his lease?—I did.

5745. What day did you serve it?—On the 15th of February.

5746. For what day?—For the 28th of February.

5747. Did you also value his holding?—Yes.

5748. What in your judgment is the highest rent which a solvent and responsible tenant could afford to give per acre for this holding?—One pound twelve shillings and sixpence per acre.

5749. English or Irish?—One pound twelve shillings and sixpence of the present currency.

5750. Are you satisfied that that is the utmost rent that he could afford to pay for this farm?—I do not think he could pay a farthing more for it; I am certain he could not.

Cross-examined by Mr. *Thesiger.*

5751. Are you generally acquainted with land in this county?—I am pretty well acquainted with it.

5752. Are

Andrew Johnstone.

29 April 1837.

5752. Are you acquainted with the land of the county generally?—A great part of the county.

5753. Will you tell us whether land in the barony of Ardagh, is not, generally speaking, the most valuable land in the county?—Some is, and some is not.

5754. Does not this barony contain a good deal of the most valuable land in the county of Longford?—No.

5755. Which other barony is there that contains as valuable land?—There is as valuable land in the barony of Longford.

5756. More valuable?—There is as good land in the one as the other.

5757. Did you go alone to value this farm, or with anybody else?—With another.

5758. *Committee.*] How much did you value the land at?—Thirty-two shillings an acre.

5759. Do you mean to say that the best land in the county of Longford is only worth that?—There is land worth a good deal more.

5760. I understood you to say that the land of this farm was some of the best?—No, it is not some of the best.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is our case.

Denis O'Connor, sworn.

Examined by Mr. *Robinson.*

Denis O'Connor.

5761. DO you know the farm which is held by John Montgomery?—Yes, I do.

5762. Do you know it well?—Yes, I have viewed the farm.

5763. Had you a knowledge of it before you went to value it?—I knew where the land lay.

5764. When did you value it?—On the 6th or 7th of February.

5765. Is the land of a good quality or not?—The land is of a good quality.

5766. What do you consider to be the value per acre of that land?—It is worth 2*l.* 5*s.* an acre, and there is as much waste there as would come to 6*l.* a year included in it; the waste is free, and there are two acres reclaimed by him also.

5767. And the land which he holds at a rent, you say, is worth 2*l.* 5*s.* an acre?—Yes.

5768. And the waste attached to this farm, you think, is worth 6*l.* more?—Yes.

Cross-examined by Mr. *Wrangham.*

5769. Will you swear that for this land,9 acres 3 roods, a solvent and responsible tenant would give 10*l.* rent over and above the rent he pays?—With the waste.

5770. Without the waste?—I will not swear without the waste; but I say he has a beneficial interest of 10*l.*

5771. Putting the waste out of the question; for the nine acres and three roods for which he was registered, will you swear that, in your judgment, a solvent and responsible tenant could fairly afford to give 10*l.* more than the man paid?—If the waste was thrown in.

5772. Mr. *Thesiger.*] The waste is held with the farm?—Just so; and he will have it as long as the lease lasts, as well as the farm.

5773. *Committee.*] Is it in the lease?—Of course it is; I have not read the lease.

5774. Mr. *Wrangham.*] Is it part of the nine acres three roods?—It is not any part of it.

5775. Mr. *Thesiger.*] It is in addition to the nine acres three roods?—It is a farm adjoining the bog, and the land has been improved in along with the bog; and some of that kind of land is rendered as valuable as upland.

5776. *Committee.*] Is this bog land included in the tenant's lease?—Certainly as free land, as I understood from him; I have not read the lease, or I do not remember it.

5777. At all events it is an addition to the nine acres three roods?—Just so.

5778. Without the waste do you think a solvent tenant would give 10*l.* more than the rent which the tenant pays?—I do not think he would, unless the waste was included; but it would not be set without the waste.

5779. Is the waste included?—The farm is adjoining the bog, and no man could hold it except the man who holds the upland.

[*The Witness was ordered to withdraw.*]

29 April 1837.

Committee-room cleared; Counsel and Agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of John Montgomery be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is the vote of James M'Cormick; 77 on the poll, 231 on the list.

£.10 Leasehold. Term of 20 Years. County.

OATH of a LEASEHOLDER registering a Ten Pound Leasehold in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford for that purpose appointed; I, James M'Cormick, of Ballygar, in the county of Longford, do swear, That I do now hold houses and lands, situate, lying and being at Ballygar, under a lease bearing date the 10th day of October in the year 1825, by and between Joseph Onsley, of Bawn, and James M'Cormick; and that such leasehold is now of the clear yearly value of 10*l.*, over and above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses or rates, and cesses upon any townland or division of any parish or barony; and that the said leasehold does not arise from a rent-charge; and that I have not accepted or procured the said leasehold fraudulently, nor in exchange for any freehold or leasehold in any other county, city or town; and that I am in the actual occupation thereof. So help me GOD.

James M'Cormick.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That James M'Cormick, of Ballygar, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a leasehold of the yearly value of of 10*l.*, situate at Ballygar, barony of Ardagh, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 957.—*Flood.*

James Ganly, sworn.

Examined by Mr. *Whitesides.*

James Ganly.

5780. WERE you present when James M'Cormick came up to be registered?—I was.

5781. Was he objected to?—He was.

5782. Was it on the ground of value?—It was.

5783. What entry have you got there?—A note I took at the time.

5784. Your own?—Yes.

5785. What quantity of acres did he swear out of?—Sixteen acres, at 30*l.* a year rent.

5786. What is that per acre?—I have never calculated it.

Cross-examined by Mr. *Thesiger.*

5787. Are you sure you were present at the time this party came up to register?—I am sure a man of that name came up to be registered, and did register.

5788. Let me look at that, will you; do you know more than one James M'Cormick?—I do.

5789. Where does the other James M'Cormick live?—I do not know where he lives.

5790. Then you do not know that the James M'Cormick who came up was the James M'Cormick of Ballygar?—I do, because James M'Cormick of Ballygar is written on it.

5791. How do you know that he lived at Ballygar?—Because this was written at the time, and it was stated at the time that that was his residence.

5792. Do

James Ganly.

29 April 1837.

5792. Do you mean to say that Ballygar was described as his residence?—Certainly; if not, it would not have been written down.

5793. Then you trust to your own accuracy?—Yes, I do.

5794. Is this your book?—Yes; there are a great many notes taken by me contained in it, and notes taken by others; there are a great many notes by Mr. Griffiths in the book.

5795. Is this the book Mr. Griffiths brought into the room half an hour ago?—Yes; there are several entries in his handwriting, and some in mine.

5796. And there are entries by Mr. Moore, the clerk of Mr. Griffiths, who is now dead?—I believe there are, and some in Griffiths' own handwriting.

5797. And this note about M'Cormick is in your own handwriting?—Yes.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Wrangham.*

Andrew Johnstone.

5798. DID you serve a notice on James M'Cormick, of Ballygar?—I did.

5799. When was that?—The 15th of February.

5800. For what day?—For the 28th of February.

5801. How did you serve him?—I served him personally in his own house.

5802. Do you know him?—I do, well.

5803. Do you know the value of his farm; did you value it?—Yes, I have known it for a long time.

5804. And did you on this occasion view it?—I did.

5805. What do you say is the utmost rent per acre which a solvent and responsible tenant could fairly afford to pay for it?—Including the house and premises, it would not be worth more than 30*s.* an acre.

5806. Do you mean that for the land itself?—Yes, including the house and farm as they stand.

5807. Taking the whole 16 acres and the house, do you think 30*s.* an acre is the utmost amount he could afford to pay?—Yes.

5808. Do you happen to know what the rent is he is charged for it?—I do.

5809. How do you know it?—He told me himself.

5810. *Committee.*] What did he tell you?—Forty shillings an acre.

5811. Mr. *Wrangham.*] Did he tell you it was 40*s.* Irish or 40*s.* English?—He said 40*s.* present currency.

5812. Should you think that too high a rent to be charged on the farm?—The man told me himself it was too high a rent.

5813. Mr. *Thesiger.*] Did he tell you what lease he had, or what interest?—He said he had no interest in the land; it was too dear.

5814. For what term?—I do not exactly recollect now, but he said it was too dear.

[*The Witness was ordered to withdraw.*]

Mr. *Thesiger.*] We will not trouble the Committee on this vote.

The Committee came to the following resolution:—

"That the vote of James M'Cormick be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Owen M'Manicle; 233 on the list, on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

5815. DO you produce the affidavit of Owen M'Manicle?—I do.

[*The following Document was then put in.*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Owen M'Manicle, of Gullagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising

29 April 1837.

arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Gullagh, in the barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 13th day of April in the year 1793; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Owen M'Manicle.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Owen M'Manicle, of Gullagh, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Gullagh, in the barony of Ardagh, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.

Certificate No. 959.—*Flood.* *John V. Crawford*, Clerk of the Peace.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

A. A. Griffiths.

5816. WERE you present when Owen M'Manicle came up to be registered?—I was.

5817. Was he objected to?—He was.

5818. On what ground?—Value.

5819. Mr. *Thesiger.*] What is that you are looking at; is that your note, or the note of your clerk?—It is the note of my clerk, and which I recollect myself particularly.

5820. Mr. *Wrangham.*] Is he not a neighbour of yours?—Yes, very close, the next townland.

5821. Was he opposed on the ground of value?—He was.

5822. What quantity of acres did he swear out of, and at what rent?—Five acres.

5823. At what rent?—At 12*s.* an acre.

Cross-examined by Mr. *Thesiger.*

5824. Just have the goodness to tell me whether you were present when John Chapman came up to be registered?—Whereof?

5825. St. Albans?—At present I do not recollect.

5826. Were you present whent when Cormick Dowd came up to register?—I think I was.

5827. Will you swear you was?—I was present, but I do not recollect the day.

Mr. *Wrangham* objected to this course of examination being pursued on this voter.

[*The Witness was ordered to withdraw.*]

William Morrison, called.

Examined by Mr. *Wrangham.*

William Morrison.

5828. DID you serve a notice on Owen M'Manicle to produce his lease?—I did.

5129. When was that?—The 5th day of April for the 11th.

5830. Whom did you serve it on?—The door was shut against me when I was going up to it; I rapped at the door, and told them I had a notice for them; the door was opened, and I put the notice over the door; I stopped a while at the house, and the woman at the back of the house opened the door; there were a woman and two girls; there were one big girl and a small one.

5831. You told the woman what the notice was?—I did.

Cross-

Cross-examined by Mr. *Thesiger*. *William Morrison.*

29 April 1837.

5832. There was a fair at that time, was there not?—There was.

5833. Was not M'Manicle gone to the fair?—They did not tell me.

5834. Was not the house shut up?—No, the door was shut in my face, and opened after.

5835. Do you know who this woman, and the big girl, and the small girl were?—She told me she belonged to the house.

5836. To that house?—The back house.

5837. Did she tell you what relation she was to the house?—No, but the son at the door was arguing with me, and told me to be gone from the place.

5838. Outside the door?—Yes.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Wrangham*.

5839. DO you know the land of Owen M'Manicle?—It was pointed out to me. *Andrew Johnstone.*

5840. Did you go to value it?—I did.

5841. What is the highest value per acre which you think a solvent and responsible tenant could fairly afford to give as rent for that land?—Twenty-five shillings an acre.

5842. You are quite satisfied that that is the extreme?—I am quite satisfied, from the description of the ground, it is.

[*The Witness was ordered to withdraw.*]

Mr. *Thesiger* stated that he should offer no evidence on this vote.

The Committee came to the following resolution:

"That the vote of Owen M'Manicle be struck off the poll."

Mr. *Whitesides*.] The next is the vote of Denis M'Cormick; No. 234 on the petitioner's list, 28 on the poll.

John V. Crawford, called.

Examined by Mr. *Whitesides*.

5843. DO you produce the certificate of Dennis M'Cormick, of Grillagh?—I do. Mr. *J. V. Crawford.*

[*The following Document was then put in*:—]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a General Quarter Session of the peace holden at Longford, in and for the county of Longford, on the 7th day of April in the year of our Lord 1835, I, Denis M'Cormick, of Grillagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any town-land or division of any parish or barony, lying and being at Grillagh, in the barony of Ardagh, county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 30th day of April 1793; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the said freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. —So help me GOD.

Denis M'Cormick.

Sworn and subscribed before me, in open Court,
this 7th day of April 1835,
Geo. French, Assistant Barrister.

29 April 1837.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Denis M'Cormick, of Grillagh, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Grillagh, in the barony of Ardagh, in this county.

Dated this 7th day of April 1835, at Longford.

Geo. French, Assistant Barrister.

Certificate No. 1521. *John V. Crawford*, Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

5844. HAVE you a memorandum taken by yourself of Denis M'Cormick?—I have.

5845. Were you present when he came to be registered?—I was.

5846. Was he objected to on the ground of value?—He was.

5847. What quantity of acres did he swear he held, and what rent did he swear he paid?—He swore he had 10 acres by lease, and two of it let.

5848. What did he swear he had in his own possession?—Eight acres.

5849. What rent did he swear he had paid?—Four pounds thirteen shillings and twopence.

5850. He paid that for the whole?—Yes.

5851. But he swore he had but eight acres in his own possession?—Yes.

Cross-examined by Mr. *Thesiger*.

5852. Is it a lease renewable for ever?—I do not know.

5853. Have you not got the particulars?—I have not got the term.

5854. Let me look at that very book?—I will [*handing the book.*]

5855. Who is the landlord?—I do not know.

5856. He produced a lease, according to your note, from his father and partners, besides these 10 acres, eight acres of which he held; did he say he had four acres of bog which were not charged, not included in his lease?—Yes.

5857. Just look at that, "Four acres of bog not charged?"—He said he had that not charged.

5858. What do you mean by not charged?—That he had that as an appurtinent.

5859. Did he say he could get 2 *l.* an acre for it?—He did for the land.

[*Witness was ordered to withdraw.*]

William Morrison, called.

Examined by Mr. *Whitesides*.

William Morrison.

5860. DID you serve a notice to produce on Denis M'Cormick, of Grillagh?—I did.

5861. When did you serve him?—On the 5th of April for the 11th.

5862. Whom did you serve with it?—The mistress, who told me she was his wife.

5863. Did you serve it upon her at the house?—Yes, I gave it to her in her own hand.

[*Witness was ordered to withdraw.*]

James R. Richardson, called.

Examined by Mr. *Whitesides*.

J. R. Richardson.

5864. DO you know the holding of Denis M'Cormick, of Grillagh?—I do; it is beside me.

5865. Have you examined it particularly?—I have been often passing over the land; I examined it upon that occasion.

5866. What time did you examine it?—About the 15th or 16th of February.

5867. You say it is close to your own place; now, from your knowledge of the value of land in this neighbourhood, what is the highest rent which you think a solvent and responsible tenant could afford to pay for it?—I consider 1 *l.* 7 *s.* a very high rent for that farm.

5868. Is

J. R. Richardson.
29 April 1837.

5868. Is there any bog there?—A great deal of bog.

5869. What kind of bog?—A part of it was so wet that I could not walk over it.

5870. Mr. *Robinson.*] Is this land not part of Lady Aldborough's land?—It is.

5871. Do you know whether the land is held renewable for ever?—I can only speak from general knowledge; I know there is a difference of tenure between the lands you are speaking of and the others adjoining; one is for years and the other is renewable for ever.

5872. Are they not old leases?—I do not know any thing of my own knowledge, I have never seen the lease.

5873. Did you put 1*l.* 7*s.* as the value of each particular acre or the average value of the whole?—I put it on the entire farm of M'Cormick's.

5874. Do you say each particular acre is worth 1*l.* 7*s.* or some worth more, and some worth less, and you give an average altogether of 1*l.* 7*s.*?—There is some of it which is worth more than 1*l.* 7*s.*

5875. How much more?—There is some worth 1*l.* 10*s.* and others not worth 1*l.* an acre.

5876. How much is worth 1*l.* 10*s.* an acre?—I dare say there are four acres worth 1*l.* 10*s.*

5877. As you are a valuer and you may be bold to say?—As far as I could judge from looking at the size of the farm.

5878. Tell me how many acres you estimated at 1*l.* 10*s.* an acre, and how many at less?—About four or five at 1*l.* 10*s.*

5879. How much do you say you did value at the higher rate of 1*l.* 10*s.* an acre?—I think about four acres.

5880. Will you swear there was not five acres of it that you valued at 1*l.* 10s. an acre?—I will not.

5881. Will you swear that there were not six?—I will.

5882. You dare say there were not six?—I do say there were not six.

5883. But between five and six you will not say?—I will not say.

5884. You will not?—I will not.

The *Committee* came to the following resolution:—

"That the vote of Denis M'Cormick be retained upon the poll."

Mr. *Wrangham.*] The next vote we object to is the vote of James M'Cormick; 47 on the poll, and 193 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

5885. DO you produce the affidavit of registry of James M'Cormick, of Tashiny?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 Will. IV., c. 88.

AT a General Quarter Sessions of the Peace, holden at Ballymahon, in and for the county of Longford, on the 4th day of April in the year of our Lord 1836; I, James M'Cormick, of Tashiny, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Tashiny and Upper Kilcurry, in the barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 4th day of June in the year 1824, and 25th March 1832; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
James ✕ *M'Cormick.*
mark.

Truly read by me, *James Dougherty.*

Sworn and subscribed before me, in open Court, this 4th day of April 1836,

T. Lindesay, Acting Assistant Barrister.

29 April 1837.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That James M'Cormick, of Tashiny, in the said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Tashiny and Upper Kilcurry, in the barony of Abbyshrule, in this county.

Dated this 4th day of April 1836, at Ballymahon.

T. Lindesay, Acting Assistant Barrister.

Certificate, No. 1,604. *John V. Crawford*, Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

5886. WERE you present at the registry when James M'Cormick, of Tashiny, in the barony of Abbyshrule, came up to be registered?—I was.

5887. Mr. *Thesiger.*] What is his resdence?—Tashiny is his residence; there are two townlands; he holds lands also in Upper Kilcurry.

5888. Is there another James M'Cormick, of Abbyshrule?—There is another James M'Cormick, in the barony of Abbyshrule.

Mr. *Wrangham* stated, that being so, he should not proceed further with the objection to this vote.

The *Committee* then came to the following resolution:—

"That the vote of James M'Cormick, of Tashiny, do remain on the poll."

Mr. *Wrangham.*] The next vote we object to, is the vote of Barnard Newman; 86 on the poll, 236 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Wrangham*.

Mr. *J. V. Crawford.*

5889. DO you produce the affidavit of registry of Barnard Newman?—Yes.

[*The following Document was then put in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People in Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Bernard Newman, of Cartronawar, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Cartronawar and barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 7th day of November, in the year 1832; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Bernard Newman.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Bernard Newman, of Cartronawar, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cartronawar, and barony of Ardagh.

Dated the 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate, No. 690. *John V. Crawford*, Clerk of the Peace.

George

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

29 April 1837.

5890. WERE you present when Barnard Newman came up to register?—I was.

5891. What was the quantity that he swore out of, and what was the rent?—Sixteen acres and a half of land, at 28 *l.* 11 *s.*, which is 34 *s.* 9 *d.* per acre; also has four acres of bog demised.

5892. *Committee.*] Is that the whole of your note?—It is.

5893. Mr. *Thesiger.*] Let me look at that note; you did not read it all?—I did.

5894. "Also has four acres of bog demised, value sufficient?"—Yes, that is the decision of the court.

[*The Witness was ordered to withdraw.*]

William Morrison, called.

Examined by Mr. *Wrangham*.

William Morrison.

5895. DID you serve a notice on Barnard Newman, to produce?—I did.

5896. When?—On the 1st of April, for the 11th.

5897. Did you serve it on himself?—I did.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Wrangham*.

Andrew Johnstone.

5898. DO you know the land of Barnard Newman, of Cartronawar?—I do.

5899. Did you go to value it?—I did.

5900. When was that about?—On the 15th or 16th of February I was on it last.

5901. You have been on it on former occasions?—Very frequently.

5902. You are particularly acquainted with it?—Yes.

5903. What is the utmost rent per acre, in your judgment, a solvent and responsible tenant could fairly afford to give for it?—About 1 *l.* 13 *s.* would be a very fair rent for it.

5904. *Committee.*] Do you know what he pays?—I do not.

5905. Mr. *Wrangham.*] In giving this value of 1 *l.* 12 *s* or 1 *l.* 13 *s.*, do you give it on the 16 acres alone, or the 16 acres with the four acres of bog added to them?—On the land itself, not including the bog.

5906. If the four acres of bog were included, would that raise your valuation something per acre?—No.

5907. You do not think they would be of any value?—No.

5908. Why do you think they are of no value?—There is such a quantity of bog in the neighbourhood that it is of little or no value.

5909. That it would not set for any thing in the shape of rent?—It might set for turf cutting

5910. What would it set for?—I have a very large portion of the bog just adjoining it myself, taken by the year from a person, at a yearly rent, for fuel for my own land; I have it for 1 *l.* a year.

5911. How many acres do you suppose you have?—I dare say, altogether, I have very nearly two acres; but then it is far superior to any bog he has.

5912. Knowing the bog he has, can you give the Committee a notion what that would let at, the four acres of bog he has?—I cannot; I had a part of it some years ago myself, at from 7 *s.* to 8 *s.*, and I threw it up.

5913. How much had you at 7 *s.* or 8 *s.*?—I cannot exactly say.

5914. Had you as much as half of it?—I dare say I had nearly an acre of it.

5915. And you threw that up?—It was so bad and soft that I could not cut turf on it.

5916. Do you know any land immediately adjoining which has been lately let there?—I do.

Cross-examined by Mr. *Thesiger*.

5917. This delightful bog of yours, which is so valuable and near this bog of Newman's, how distant is it?—It may be 100 perches.

5918. Have you the liberty of grazing on it?—I have not.

Andrew Johnstone.

29 April 1837.

5919. One hundred perches from where you live?—No.

5920. What distance is it from where you live?—About two miles, I think.

5921. Bog is rather more valuable, with relation to a farm, when it is close to it than when it is two miles off?—It would be more valuable to me if I had it beside me.

5922. And you have not the liberty of grazing on it, but merely cutting turf?—Nothing more.

5923. And for two acres you paid 1*l.*?—Yes.

5924. How comes it you have set no value at all on the four acres of bog attached to Newman's house?—It is so very bad that I think it is worth very little.

5925. You have put no value on that at all?—Very little.

5926. Tell us what value you put on it?—I told you as nearly as I could, from what I paid myself for the portion I had.

5927. That is no answer?—I cannot exactly say what the value is.

5928. Then you put no value on it?—Little or none.

5929. If you put a little on it, tell us what that little is?—If you wish me, I will say 1*l.* a year.

5930. I wish you to tell the truth?—I will say nothing else.

5931. Did you ever value the land before now?—Never.

5932. Tell me, is that land all of a similar value, or is there some of a better kind than the rest?—There is.

5933. How much?—There may be six or seven acres.

5934. At what value?—Five or six and thirty shillings an acre; the best of it of itself, with the house, might set at that.

5935. Is the rest all of the same value; the remaining part?—It is not.

5936. How much is of a different value?—There may be some worth 2*s.* or 3*s.* an acre less; there are two or three different descriptions of land in the farm.

5937. *Committee.*] Have you got your book?—I did not take a note of this at all; I knew the land so well that I did not think it would be necessary.

5938. Mr. *Thesiger.*] You say there are five or six acres worth from 1*l.* 15*s.* to 1*l.* 16*s.*; tell me how much the others are worth?—I suppose three or four acres of the second.

5939. Do not suppose; tell me how much?—I only take it from observation.

5940. Three or four acres, at how much?—I dare say about 1*l.* 10*s.*

5941. Now, the rest?—About 1*l.* 5*s.*

5942. That is, all the rest?—Yes; that is, to divide the farm and set it in the different portions it would bring that; but, taking it altogether, I think 1*l.* 12*s.* or 1*l.* 13*s.* would be a high rent.

5943. As you are a man of figures, will you tell us how, with all these particulars, you bring out the average per acre?—I never averaged it; and I never went into a calculation before I came into this room.

5944. Do you mean to say the divisions you have given to the Committee of the different values, is an extemporaneous one?—It is quite so, from my own knowledge and recollection of the farm here; I viewed the farm as to let, taking the whole together.

5945. Then, giving the utmost rent per acre, between 1*l.* 12*s.* and 1*l.* 13*s.*, that must be composed of the different values of the different portions of the farm?—Dividing it in the way I have done, I dare say it would average more than what I have said, because, subdividing the land, it would set at more.

5946. You are just mistaken, for it averages a great deal less; then you can say nothing about the calculation one way or the other?—I cannot.

5947. You only guess or calculate it is worth 1*l.* 12*s.* or 1*l.* 13*s.* per acre?—I would not take it, myself, at that.

5948. Your calculation is guess, like the American's "I calculate" or "I guess"?—No, I am not a Yankee.

5949. Is not the bog of value to supply fuel for burning lime?—Yes.

5950. Do you not estimate that at all?—I do not know that man burns lime; I am sure he does not; I never knew him to burn lime.

5951. Do you know whether there is a lime-kiln on the farm?—There may be; I cannot say.

5952. You say you have such a perfect recollection of this farm, that you can give us all the particulars without any memorandum; do you know whether there is a lime-kiln on it?—I believe there is.

5953. Have

Andrew Johnstone.
29 April 1837.

5953. Have you any doubt about it?—I have no doubt about it.

5954. Is there more than one dwelling-house on the farm?—There may be two; he may have a workman in one of them now.

5955. Is there the appearance of two?—Yes, there is the appearance of two.

5956. And offices?—Yes, such as they are.

5957. Miserable places, of course?—One of the houses is rather comfortable; the other is very bad.

Re-examined by Mr. *Wrangham.*

5958. I understand you to say, that your mode of valuing is to value the whole holding, with whatever buildings there may be on it?—Yes; taking the houses and appurtenances and every thing into calculation.

5959. You do not value each acre at what it would let at separately, but taking the whole together in bulk, you calculate, what, in your judgment, the whole farm would let for?—I valued it as exactly as if I were going to take it or propose for it myself.

5960. I think you told my friend, if you were going to take it, you would not give 1*l.* 12*s.* or 1*l.* 13*s.* per acre?—I would not.

[*The Witness was ordered to withdraw.*]

Denis O'Connor, called.

Examined by Mr. *Thesiger.*

Denis O'Connor.

5961. DO you know the farm of Bryan Manion, in the barony of Ardagh?—I do.

5962. When did you value it?—In the early part of February.

5963. We hear there are two dwelling-houses on the farm?—There are; there are houses and offices also, which would cost from 40*l.* to 50*l.* to build them.

5964. Are they of a good description?—For that description of person and for that description of farm, they are.

5965. There is a lime-kiln also on the premises, is there not?—I will refer to my notes; there is a lime-kiln, and there are pretty good windows in the house, which is not usual in houses of such description in Ireland; and there are four acres waste or bog, which I know of my own knowledge from having read the lease.

5966. Is that bog of a good or bad quality?—It is worth to the man from 3*l.* to 5*l.* per annum.

5967. Is it of a good or bad quality?—Certainly it is good for its use, for grazing, the part that is a little improved, or for turf banking.

5968. For burning lime, or any domestic purposes?—Yes.

5969. Are the lands, exclusive of the bog, of a good or bad quality?—They are of a good quality.

5970. I believe land in the barony of Ardagh is pretty good in quality?—I consider it is; there are very few baronies I know of where there is so much good land and so little of an inferior quality.

5971. What do you consider a fair value per acre for this land?—Taking into consideration the houses that cost from 40*l.* to 50*l.* and the waste, I would value the land at 2*l.* 10*s.* per acre; there are houses which I do not consider as good as they, and a single acre or two of land attached, where there is a man who has a 10*l.* freehold who voted at the last election for Mr. Fox.

Cross-examined by Mr. *Wrangham.*

5972. You say 2*l.* 10*s.* an acre for the 10 acres?—I do; and were I in doubt, something that came from a gentleman of the other party, just now would justify me that it is good land.

5973. Is the land of this farm all pretty much of the same quality throughout?—It is of the same kind as the entire townland; some divided into bottom and some as townland.

5974. Is the land on this farm pretty much of the same quality throughout?—I should think so.

5975. That is to say one acre is as good as another?—No; it is pretty much of a uniform quality.

5976. What do you mean by uniform quality?—There is no farm of 10 acres where they are all equally good, every acre of the same quality.

5977. You mean by saying it is of a uniform quality that some acres differ from others?—I say some acres do differ from others.

Denis O'Connor.

29 April 1837.

5978. You told me just now it was of a uniform quality?—When did I tell you it was of a uniform quality? I told you some was for grass and some for tillage; I tell you the part that is for tillage is.

5979. Then it is not of a uniform quality?—Just so, if you like to take it so.

5980. How much is there of a better kind?—I do not know.

5981. Not at all?—I do not.

5982. You cannot tell me whether there are 20 acres or two acres?—I am sure the larger proportion is of the best quality.

5983. Can you tell me whether there are 10 acres or two of the best quality?—I am sure the larger part of the farm is of a better quality.

5984. More than half of the farm?—Yes.

5985. At what should you put it?—If it was set separately, I would not know how to value it; I viewed it as if it was altogether, and I made no other valuation.

5986. That is the ordinary mode in that country of valuing the whole, on an average?—Just so.

5987. And other parties who go to value it would take that as their mode of valuation?—They would do it in what way they please.

5988. Is that the proper mode of valuing the farm?—I consider the proper mode of valuing the farm for me was, to value the whole with reference to the evidence I was to give.

5989. What was proper for you was proper for other people, was it not?—Upon my oath I think so.

5990. You say half of it is of a better quality?—More than half; I cannot be particular as to that; I am not a land-surveyor.

5991. Is the rest of it pretty much the same; it is uniform to this; but is it much the same?—It is very good for its use, and that is for grazing.

5992. The remainder of the land, you say, more than one-half, is of a superior quality; is the lesser part that remains of the same quality?—I do say, for grazing cattle, it would be worth 2*l.* or 2*l.* 5*s.*

5993. You say more than one-half is of a particular quality; I ask you as to the rest, is it of a different quality, or does acre differ from acre of that?—Certainly; what I have referred to of the upland is superior to the other part.

5994. I am speaking of the remainder of it?—It is inferior to the upland.

5995. Is it acre by acre of the same value with itself, putting the upland out of the question, leaving the seven acres which is not of the same value with that, are they of the same value?—I did not say seven acres.

5996. You say more than one-half is of a superior quality; we have taken that; then turn your attention to the remainder; of the remainder, is the rest of a uniform quality throughout, or does it differ, one part of that remainder from another part of it?—There might be an acre, perhaps, worse than the rest, even in the rest of that.

5997. Is there?—I cannot say whether there is or not.

5998. You went to value the farm?—I did, and went over it.

5999. And you cannot tell whether there are three qualities of land in it or two?—I rather think there are but two.

6000. What do mean then by telling us there might be an acre of less value?—Because there might be round the skirts of the farm a small portion which is not so good.

6001. Whether there is or not, you cannot tell?—Certainly; if there is, it is not over an acre.

6002. Can you tell whether there is or is not?—I think not.

6003. Can you not give me more than thoughts about it; is there or is there not?—I think not.

6004. Is this the valuation which you put on it; 2*l.* 10*s.* a year, I think you say; is that the value you would put between landlord and tenant?—I declare I would not do that.

6005. What is the rent you would set it at, as between landlord and tenant?—There are improvements on it; between landlord and tenant, if I was called in as a third party, I would set it at 2*l.* 5*s.*, and I would make a charge for the bog, probably, that is if I was called in between a man of property and his tenant.

6006. Then what is the excess you put on it?—I mean, between such persons as Newman and a similar class of persons, I am convinced that that could be got

6007. You tell me, if the landlord was about to let it, and it was in the market

for

for the purpose of being taken, 2*l.* 5*s.* would be the rent he would get for it?—I do tell you that; and I say, if the landlord pleased to exact it, he would get a fine for it. *Denis O'Connor.* 29 April 1837.

6008. Is 2*l.* 5*s.* the rent which you say it would let for, as between landlord and tenant, the farm being in the market for the land to set?—I do.

6009. Do you know Allen's land adjoining to it?—I do not.

6010. Do you know the land that young Allen took lately?—I do not.

6011. Do you know land generally in this neighbourhood?—I know Cartronawar.

6012. Do you know it well?—Pretty well.

6013. But you do not know Allen's, next door?—I do not; I minded nothing but what I went about.

6014. I am not speaking as to your valuation, but whether, previous to this time, you had any knowledge of his land?—Yes, I knew it; I have rode by his lands when I saw fine abundant crops on them, but to view them specially I never did.

6015. And did you never happen, as you rode by, to see abundant crops on the land that was let to young Allen?—I do not know it at all.

6016. Mr. *Thesiger.*] Suppose you had to let these lands from year to year, should you get 2*l.* 10*s.* an acre for them, letting them to the same class of persons as Newman is?—Not for a single year.

6017. For how long?—If there was a time given, either 10 or 20 years, they would set for that.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; and on Counsel and Agents being called in, they were informed by the Chairman that the *Committee* had come to the following resolution:—

"That the vote of Barnard Newman be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Bryan Kearney; 126 on the poll, 194 on the list.

Mr. *John V. Crawford*, called.

6018. Mr. *Wrangham.*] DO you produce the affidavit of Bryan Kearney?—I do. Mr. *J. V. Crawford.*

[*The following Document was then put in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3. WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at Elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford appointed for that purpose; I, Bryan Kearney, of Tevelick, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Tevelick and barony of Abbyshrule, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 5th day of June, in the year 1830; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court, this 22d day of October 1832, *Bryan Kearney.*

J. F. Fosbery, Deputy Assistant Barrister.

29 April 1837.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Bryan Kearney, of Tevelick, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Tevelick, and barony of Abbyshrule, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Dep^y^ Assist^t^ Barrister.

Certificate, No. 899. *John V. Crawford*, Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

6019. WERE you present when Bryan Kearney came up to be registered?—I was.

6020. Was he objected to on the ground of value?—He was.

6021. What did he swear out of?—Nineteen acres, three roods, twenty-eight perches.

6022. What rent?—Forty-two pounds yearly rent, which is 2*l.* 7*s.* 6*d.* an acre.

6023. Mr. *Robinson.*] Were any witnesses examined as to value?—No.

[*The Witness was ordered to withdraw.*]

John Morgan, called.

Examined by Mr. *Whitesides*.

John Morgan.

6024. DID you serve a notice to produce on Bryan Kearney?—I did.

6025. On what day?—The 16th of February.

6026. How did you serve it?—Personally.

Cross-examined by Mr. *Robinson*.

6027. Do you know Bryan Kearney?—I do.

6028. You know him personally?—Yes, I have for a length of time.

[*The Witness was ordered to withdraw.*]

Matthew Shaw, called.

Examined by Mr. *Whitesides*.

Matthew Shaw.

6029. DID you visit and inspect the farm of Bryan Kearney, at Tevelick?—I did.

6030. In the barony of Abbyshrule?—Yes.

6031. State shortly to the Committee what you think is the highest rent which a solvent and responsible tenant could afford to pay for it, taking every thing into consideration?—I consider the very highest rent I could lay on it would be 2*l.* 2*s.* an acre.

6032. Do you think a tenant who had this land could pay a higher rent?—I think no man could pay more than that.

6033. *Committee.*] Do you know the rent the man paid?—Never till last night.

6034. Have you got the book which you made?—I have.

6035. Produce it—[*The Witness produced the Book.*]—Was that book made in Ireland?—Yes.

6036. Mr. *Robinson.*] That is a copy?—Yes, a copy of a former book.

6037. Is not that the book you purchased at Longford?—Yes.

6038. Did you see Kearney on the land when you went there?—I did not.

6039. Did you see any of his people?—Not one.

6040. How long were you there when you were valuing it?—I should suppose not more than 15 minutes; it is on the side of the road.

6041. Tell us how much land is there?—That I cannot say.

6042. About?—I should think about 20 acres.

6043. Do you recollect how much was in tillage?—A great part of it was in tillage.

6044. What time of the year was this?—In February.

6045. You did not see any stock?—No.

Re-examined

Re-examined by Mr. *Whitesides.*

Matthew Shaw.

29 April 1837.

6046. Do you live near to this place yourself?—Yes, within three miles.

6047. Is 2*l.* 2*s.* an acre a high rent for tillage land?—Yes, there are very few places at all that go at such a high rent as 2*l.* 2*s.* an acre.

Mr. *Robinson.*] We will not trouble the Committee on this vote.

The Committee then came to the following resolution :—

"That the vote of Bryan Kearney be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Michael Carney, of Cartronawar; 207 on the list, 59 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

6048. DO you produce the affidavit of registry of Michael Carney, of Cartronawar?—I do.

[*The following Document was then handed in :*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d and 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Michael Carney, of Cartronawar, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Cartronawar, in the parish of Ardagh, and barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 15th day of January in the year 1794; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Michael Carney.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,

J. F. Fosbery,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Michael Carney, of Cartronawar, farmer, was this day duly registered before me, as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cartronawar, in the parish of Ardagh, and barony of Ardagh, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 232.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

A. A. Griffiths.

6049. WERE you present when Michael Carney, of Cartronawar, came up to be registered?—I was.

6050. Was he objected to on the ground of value?—He was.

6051. State to the Committee what quantity he swore to?—Seven acres three roods; of which he held only seven acres in possession, the remaining three roods being let.

A. A. Griffiths.

29 April 1837.

6052. What rent did he swear he paid?—Eight pounds a year.

6053. *Committee.*] Were you present?—I was.

6054. Mr. *Robinson.*] Had you a discussion as to the value?—We had.

6055. *Committee.*] Read your note?—"He produced a lease made to his father and others; he claimed his father's proportion, of which he had seven acres, his father had fifteen acres; he got of it seven acres three roods, and the three roods was let, and he paid 8*l.* rent; the rest they paid rent to him, and he paid it over to the landlord."

6056. *Committee.*] Your book does not say for what term of years?—It is lives he has; I think he stated so himself; he had not a lease for ever.

6057. Has he more than one life?—This does not say; I know, of my own knowledge, he has himself and another life.

Cross-examined by Mr. *Robinson.*

6058. You say there were seven acres, and the rent was 8*l.*; was there any other land included in the lease?—The whole of the land in the lease was 47 acres; but it was divided into portions, of which he had seven acres, his brother seven acres more, and his cousins the remainder of it.

[*The Witness was ordered to withdraw.*]

William Morrison, called.

Examined by Mr. *Whitesides.*

William Morrison.

6059. DID you serve a notice to produce upon Michael Carney, of Cartronawar?—I did.

6060. When did you serve it?—The 1st of April, for the 11th.

6061. On whom did you serve it?—On himself personally.

Cross-examined by Mr. *Robinson.*

6062. Did you know Michael Carney?—I know him by eyesight very well.

6063. Had you known him before?—I had seen him often.

6064. Where did you serve him?—In Longford.

6065. How do you know that it was this Michael Carney that lived at Cartronawar?—He told me he was.

6066. Did you ask him?—Yes, and he told me he was.

6067. And then you served the notice?—I gave him the notice then.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Whitesides.*

Andrew Johnstone.

6068. DO you know the farm of Michael Carney, of Cartronawar?—I do.

6069. Is it the same land as the last farm that you gave evidence of?—It adjoins it.

6070. What is the value of Michael Carney's land?—Twenty-five shillings an acre.

6071. Do you know a person of the name of William Allen?—I do.

6072. Has he a farm near this?—John Allen has.

6073. At how much rent does he let it?—He has had it many years, but he let it out on lease last year.

6074. Mr. *Robinson.*] Have you got the lease?—I have not the lease.

6075. Mr. *Whitesides.*] Do you know, of your own knowledge, what rent he pays?—I saw the lease.

6076. His land is near it?—It is.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Dem

Denis O'Connor, called.

Examined by Mr. *Robinson*.

6077. HAVE you valued the land of Michael Carney, of Cartronawar?—Yes.

6078. Is there a good dwelling-house upon it?—Yes; there are four or five houses upon the farm, which are set by him to workmen and cottiers, which are worth 8*l.* a year.

6079. Is there a lime-kiln upon it?—Yes.

6080. Tell me what the note of it is?—Michael Carney has three roods of land that goes along with his houses; they are worth 8*l.* a year.

6081. How many houses are there upon the land?—Four or five houses; I can swear to four; that includes his own house.

6082. What do you say is the value of them to let by the year; what are they worth, do you think?—They are worth, to let, 7*l.* or 8*l.* a year.

6083. Are they occupied now or not?—They were occuupied when I valued the land.

6084. When was that?—In last February.

6085. I asked you before, whether there was a lime-kiln on the land?—There is a lime-kiln on the land, and there is a bog attached to it, a waste bog.

6086. Is the lime of value for the purpose of manure?—Certainly.

6087. Do you know whether these houses were occupied, or by whom they were occupied at the time of the registration?—I do not know.

6088. When you went to value them they were occupied?—They were occupied, and are still occupied.

6089. What is the value, taking into consideration the advantage of the lime-kiln and the bog; what do you say the land is worth per acre, supposing there were no houses upon it but one common farm-house?—Two pounds ten shillings an acre.

6090. What sort of houses are the others?—They are not so good as the one he himself lives in, but they are such a class of houses as persons who hold no land, except perhaps a rood, generally reside in.

6091. What do you think they would let for?—I know that houses of a similar description have set from 2*l.* 10*s.* to 4*l.* a house, with 20 perches of land.

6092. How many of these houses are there on the land?—I am certain of three; I think there are four.

6093. How is the bog made use of for manure?—It is drawn up, and mixed with lime, and spread on the land.

6094. Does the lime-kiln add considerably to the value of the farm?—I think it does.

Cross-examined by Mr. *Wrangham*.

6095. Have you ever seen him burn any lime?—I never did.

6096. You talk of these houses; I ask you, whether if they are worth 7*l.* a year, they are set to cottiers?—They would always let.

6097. You consider that these houses would always let?—There are three, perhaps four families, live in the houses upon this farm.

6098. There were families in the houses at the time you were there?—Yes.

6099. On this bit of ground of seven acres of land you have four or five families locatad?—So it turns out.

6100. Now it is worth 2*l.* 10*s.* an acre, you say?—Yes, I do.

6101. Is that what some of these wretched people would be induced to give, or the fair value which the land would bring a landlord in the market?—I am not speaking of a landlord's rent; I mean between such a man as himself and another man of the same description.

6102. I am not speaking of what might be wrung out of these wretched creatures, but what is the fair market value in the shape of rent which that would bring in the market if it were to be set by the landlord?—The landlord would get 2*l.* 5*s.*

6103. Newman's is the same place, is it?—Yes.

6104. Is that land of Barnard Newman's of greater or less value than that of Michael Carney?—I think Carney's is best.

6105. Do you remember what the rent was you put on Newman's?—Yes, I do.

6106. Was it not 2*l.* 5*s.*?—It was.

6107. Have you not put the same value on this?—I have.

6108. Do you think the value is different, or the same as Newman's?—I think,

Denis O'Connor.
29 April 1837.

of the two, being a smaller quantity of land, there is less of what you call bottom land for it.

6109. I ask you whether there is any assignable difference in the value per acre of Barnard Newman's holding and Michael Carney's holding?—If there is any difference it is very trifling, but of the two I consider Carney's is the best, particularly as there are so many houses on it.

6110. You are now allowing for the houses?—Indeed I am not.

6111. Then why did you mention the houses as a reason for giving the better value if you did not include them in the valuation; why did you mention to me the houses if you did not mean to include them in the value?—The land could not be set well without the houses, the houses being on it.

6112. Then you do include them in the valuation?—I include one farm-house in the 2*l.* 5*s.* an acre, which I tell you it would set at between landlord and tenant.

6113. You valued the seven acres at the same rent per acre in this case as you valued the 16 of Newman's 2*l.* 5*s.* an acre as between landlord and tenant, and 2*l.* 10*s.* on this wretched system we have heard of?—Yes.

6114. Mr. *Robinson.*] You mean if a landlord was to let it he would not get so much as a person in the situation of Michael Carney would get for it?—Very few landlords would exact it.

6115. If Michael Carney wanted to let it, what do you think he would get for it per acre?—I think he would get from a person of his own description 2*l.* 10*s.* an acre for it with his own house alone.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Michael Carney be struck off the poll."

Lunæ, 1° *die Maii*, 1837.

LORD CLIVE, IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Whitesides.*] The vote we now proceed with, is the vote of Thomas Farrell, of Ardagh; No. 216 on the list, 91 on the poll.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*
1 May 1837.

6116. DO you produce the affidavit of registry of Thomas Farrell?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, Thomas Farrell, of Loughall, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and lands, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Loughall, in the barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 27th day of January in the year 1825; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or

any

any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or place. So help me GOD. 1 May 1387.

Sworn and subscribed before me, in open Court, this 22d day of October 1832, *Thomas Farrell.*

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Farrell, of Loughall, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Loughall, and barony of Ardagh, in this county. Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate, No. 312. *John V. Crawford*, Clerk of the Peace.

Arthur A. Griffiths, sworn.

Examined by Mr. *Whitesides.*

A. A. Griffiths.

6117. HAVE you an entry respecting Thomas Farrell, of Loughall, in the barony of Ardagh?—Yes.

6118. Were you present when he came up to register?—I was.

6119. Read your note?—"Thomas Farrell, of Loughall; produced a lease made in 1825; it was from his father, John Farrell, for three lives, and one of whom was in being; it was of seven acres of land, of which he had six in possession, the other in possession of his brother; it was at 14*s.* 9*d.* per acre; the date of the lease is 1825."

6120. Was he objected to on the ground of value?—Yes.

6121. Is that entry in your handwriting?—It is.

6122. Were you present when the man came up?—I was.

6123. What session was it?—In 1832.

6124. Do you recollect the month?—October.

6125. It was the reform sessions?—It was in October.

Cross-examined by Mr. *Austin.*

6126. Is that the book you had the other day?—It is the book I had on Saturday.

6127. You say it was in October?—It was.

6128. Do you remember saying on Saturday it was in November?—That might be another person; I mentioned a man that was registered on the 5th of November.

6129. Are you sure that you were correct in that representation?—I am sure.

6130. Do you recollect the man on Saturday you were examined to?—I do not at this moment; it is in another book, but I can look at it.

6131. It is a lease renewable for ever?—I do not know.

6132. Do you not know of your own knowledge?—No.

6133. Is Thomas Farrell's interest, a lease for life, renewable for ever?—I believe not; his father had a lease, but he made him a lease for lives renewable for ever.

6134. Is his father's renewable for ever?—I never saw it, but I think it is.

[*The Witness was ordered to withdraw.*]

William Morrison, sworn.

Examined by Mr. *Whitesides.*

William Morrison.

6135. DID you serve a notice on Thomas Farrell, of Loughall, in the barony of Ardagh?—Yes, I did.

6136. When did you serve it?—On the 5th of April, for the 11th.

6137. On whom did you serve it?—On the mistress, in the house.

6138. Do you mean his wife?—Yes, his wife, in the house.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, sworn.

Examined by Mr. *Whitesides.*

Andrew Johnstone.

6139. DO you know Thomas Farrell, of Loughall?—Yes, I do.

6140. Did you examine his farm and house?—I did.

6141. Is there a house upon the farm?—There is.

Andrew Johnstone.

1 May 1837.

6141.* What kind of house is there?—A small bad house.

6142. What is the highest value which you think a solvent and responsible tenant could afford to pay for this farm an acre?—One pound five shillings is, I think, the highest rent.

6143. In what state is the land?—A greater part of it is very poor; it is a light gravelly kind of soil.

Cross-examined by Mr. *Austin*.

6144. Did you examine the house?—Not inside.

6145. You did not examine the house inside, and therefore, when you say it is a bad house, you allude to the outside?—Yes; but I am certain the house is a good deal better outside than it was inside, if I could have got in.

6146. How long will you undertake to say that this house has been built?—I think a great many years.

6147. Will you undertake to say that it has been built a great many years?—I will not a great many, but a good many, seven or eight years; I know from my own knowledge it has been built seven or eight years; I think it is seven years ago since he commenced the public business; he had a retail whiskey shop.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

James M'Gaver, sworn.

Examined by Mr. *Austin*.

James M'Gaver.

6148. DO you know Thomas Farrell, of Loughall's land?—I do.

6149. Is there a house upon it?—Yes, there is a very fine house.

6150. Did you go inside?—I did not.

6151. How long have you known it?—Seventeen or 18 years.

6152. Did you examine the land?—Yes, I did.

6153. Now, what is the rent which you think a solvent tenant could afford to pay for that land?—He could pay 50 *s.* an acre for it; there is a very fine house newly built, with windows in it.

3154. How long has it been built?—Between five and six years.

5155. You say you have known it for 18 years?—Yes, I have.

6156. How long have you known Farrell himself?—As long as I can recollect

Cross-examined by Mr. *Wrangham*.

6157. You say you have known the house for more than 17 years?—Yes.

6158. Then you knew it before it was built?—No, I could not do that.

6159. You say you have known it for 16 or 17 years?—I knew the land.

6160. Not the house?—No.

6161. You say there is a very fine house upon it?—There is a splendid house, one of the best in the neighbourhood for a farmer of this description to live in.

6162. Do you know how high it is?—About 10 or 12 feet high.

6163. There are fine things sold in this house?—I do not know that he sells any thing.

6164. Does he not sell whiskey?—Not now; he did; he has not done it in the new house.

6165. You knew he did in the old house, but not in the new one?—I never was in that house.

6166. Have you never been drinking in that house?—Never.

6167. You were an outside valuer of the house?—Yes.

6168. With these tempting-looking windows that you saw?—Yes.

6169. Did you never calculate what value it would take per acre to make up the 10 *l.* above his rent?—Upon my oath, I never did in any one case in which I valued the land.

6170. Do you know the rent?—It is 16 *s.* Irish.

6171. You know the rent?—I do.

6172. Did you know it when you put this 50 *s.* per acre upon it?—I did at the time.

6173. Will you swear you did not know that in putting a value of 50 *s.* an acre, that it would make up the 10 *l.* over and above?—On my oath I did not.

6174. *Committee.*] Did you see the lease?—I did not.

6175. Is

6175. Is it a slated house?—No, thatched. *James M'Gaver.*

6176. Is it mud wall?—No, stone and mortar, with two chimnies in it; a fine house for a farmer of this description. 1 May 1837.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Thomas Farrell be struck off the poll.

Mr. *Whitesides.*] The next vote we object to is the vote of Michael Kiernan; 175 on the poll, and 136 on the list.

Mr. *John V. Crawford*, re-called.

Examined by Mr. *Whitesides*

6177. DO you produce the affidavit of registry of Michael Kiernan, of Cloonagh?—I do. Mr. *J. V. Crawford.*

[*The following Document was then handed in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d and 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford appointed for that purpose; I, Michael Kiernan, of Cloonagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Cloonagh, and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 1st day of June in the year 1825; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county thereof, city or town. So help me GOD.

Michael Kiernan.

Sworn and subscribed before me in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Michael Kiernan, of Cloonagh, in this county, farmer, was this day registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cloonagh, and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford. *J. F. Forbery*, Deputy Assistant Barrister.

J. V. Crawford, Clerk of the Peace.

Certificate, No. 914.

George Gardiner, sworn.

Examined by Mr. *Wrangham.*

6178. WERE you present at the Reform registry, when Michael Kiernan came up to be registered?—Michael Kiernan of Cloonagh? *George Gardiner.*

6179. Yes?—I was.

6180. That is in the barony of Granard?—Yes.

6181. Was he objected to on the ground of want of value?—He was.

6182. Let us have your note?—He produced a lease of nine acres one rood one perch.

6183. At what rent?—Yearly rent 11*l.* 12*s.* 11*d.*, and swore there was 1*l.* tithe included.

6184. The 1*l.* tithe is included in the 11*l.*?—It is.

George Gardiner.

1 May 1837.

6185. Is that the whole of your note?—No.

6186. Read the whole of it?—He says, "that land convenient is set at 1*l.* 8*s.*, 1*l.* 5*s.*, and some pay 30*s.*; that he planted some trees, and has some ashs and an orchard."

Cross-examined by Mr. *Austin.*

6187. Allow me to look at your note, will you?—I will—[*handing it to the learned Counsel.*]

6188. Be so good as to read the whole of that note, will you?—I will; "John A—— examined against the claimant, says it is mountainy land and stoney; admitted."

6189. What is all this that you have been scratching out here; have you read the whole note?—I have.

6190. Just come here, and read this?—"Tithe 1*l.* and cess 12*s.*, would get two guineas, land set at 1*l.* 8*s.*, 1*l.* 5*s.* and 30*s.*

[*The Witness was ordered to withdraw.*]

John Armstrong, sworn.

Examined by Mr. *Wrangham.*

6191. ARE you hard of hearing?—A little since my ear was cut, from loss of blood.

6192. Did you serve a notice on Mr. Kiernan, of Cloonagh?—Yes, on his wife in the house.

6193. You served it on the lady?—Yes.

6194. When did you serve it?—Thirteenth of February.

6195. Was it on this day that you were attacked, and had your ear cut?—Not till the 23d, afterwards.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, sworn.

Examined by Mr. *Whitesides.*

Jacob Wiggins.

6196. I UNDERSTAND you are an agent to gentlemen in the county of Longford?—I am.

6197. Did you hold land yourself?—I did, until this last year, hold 50 acres.

6198. Have been accustomed to value farms, and set them in the county of Longford?—Yes, several times.

6199. Have you had much experience in that way?—A good deal.

6200. Did you examine the farm of one Michael Kiernan, of Clonagh, of the barony of Granard?—I did.

6201. From your experience in that county of the value of land, and your habit of setting land, would you state to the Committee what you believe to be the highest rent a solvent tenant could afford to pay for that farm?—Have I liberty to refer to the notes I made of the value?

6202. Certainly you have; M'Kiernan, of Cloonagh?—I valued that at 20*s.* an acre.

6203. Is that the best rent that, according to your judgment, a solvent tenant could afford to pay for it?—It is as much as could be laid on any tenant to pay for it.

Cross-examined by Mr. *Austin.*

6204. Let me look at that book, will you?—I will—[*handing it to the learned Counsel.*]

6205. Did you write this down at the time?—No.

6206. This is not the memorandum you made at the time of your valuation?—It is not.

6207. When did you write this before?—I have wrote part of it since I came here.

6208. And the other part?—That was wrote before I left home.

6209. What part did you write since you came here?—The memorandum.

6210. They being in different ink?—Those are the memorandums.

6211. Those are the memorandums, are they?—Yes, they are.

6212. And they are all in one ink?—They are.

6213. Do you mean to say that they are in the same ink?—They are, and here is the bottle—[*producing a bottle*]—they were taken out of it at Longford; that is the hand-

James Wiggins.

1 May 1837.

handwriting of my nephew, and that is my own handwriting; I sat with him while he was doing it all the time.

6214-5.—And you swear that is the same ink?—I do; and this is the same bottle, with not a drop put in it, or a drop taken out of it.

6216. That being so, tell me which part was written in London, and which in the country?—The memorandums were written in London.

6217. And those were written in the country?—Yes.

6218. Then you mean, when this was written in the country, the pen was dipped in that bottle which you produce; just explain what you mean by that?—There are two pens.

6219. When this was written in the country, your pen was dipped into that bottle?—It was.

6220. The bottle you have in your pocket you had in the county of Longford?—I had.

6221. With the same ink in it?—Yes, with the same ink in it.

6222. And the person who wrote it dipped his pen in that bottle, and wrote that page?—He did; there was no other bottle on the desk except this.

6223. And when you came to London, you brought your bottle with you?—I brought it in my trunk.

6224. And you took your bottle out of the trunk, dipped your pen in it, and wrote that?—I did write.

6225. When did your nephew write this side of the sheet?—I think the very day before I left Longford.

6226. And when did you write this?—I think I wrote some of it last Friday.

6227. And you wrote that all last Friday?—No.

6228. When did you arrive in London?—On Thursday evening.

6229. And you began writing these memorandums on Friday, and you have continued writing them?—I have.

6230. How long since have you continued writing them?—I believe I wrote some of them this very morning.

6231. Did your nephew write that from your own statement to him, your own dictation?—He got down the names of the townland and the value.

6232. How long was that after you had valued; this was done just before you came away?—The first day I valued land was on the 13th of February.

6233. And the last day you valued land was when?—Before the 18th.

6234. And you first of all got your nephew to write the day before you came to London?—Yes.

6235. And that was not Thursday?—No; on the Thursday I arrived.

6236. It was somewhere in the week before last, towards the latter end of April?—It was.

6237. You finished your valuations in the end of February, and began to have your memorandums written at the end of April?—I did.

Re-examined by Mr. *Wrangham.*

6238. Did your nephew write the memorandums he wrote there at your dictation?—He did.

6239. Were you present?—I was.

6240. Did you compare it with your own memorandum?—I did; I gave out the names, the residences, and the sum I valued at.

6241. And he was sitting beside you?—He was; and after we had wrote the whole, we compared them together.

6242. Compared them with what?—With a book two other gentlemen and I had in common, that we took notes in common, in which we took notes on the field, and afterwards looked over it in the evening.

6243. *Committee.*] Where is the other book, the original book?—It is in London.

6244. Mr. *Whitesides.*] Is this a perfect copy, as far as concerns your valuation of what is in that book?—The memorandums in that book we had in common, and they were of greater length; those are the memorandums I took.

6245. Then you made out this book for your own satisfaction afterwards?—To satisfy my own mind.

6246. Can you speak to the valuation of this farm, with perfect accuracy, from what you find in this book?—I can; the names of the townlands and the values are the same as they are in the book we had in common.

James Wiggins.

1 May 1837.

6247. *Committee.*] Who had it in common with you?—There were a Mr. M'Canley and Mr. Brock.

6248. Mr. *Wrangham.*] Did they value with you?—They did.

6249. *Committee.*] Have you got the original notes?—I have them in London.

6250. When you appear here again, will you bring with you the originals?—I will.

6251. Have you any doubt as to the valuation of this particular land; are you certain that, in your own mind, you have a distinct idea of that land?—I am satisfied I laid a fair value on it.

6252. Is it on this particular land, M'Kiernan's land that you are certain?—I am; I speak of that, and that alone.

6253. Mr. *Austin.*] Do you know the lands of Rinhoola?—I do.

6254. You know those lands, whatever name they delight in?—I do.

6255. Do you know the price at which they are usually set?—If that be the land I am speaking of, Mr. Murphy is the landlord, and he can set lands as high as any gentleman I know.

6256. Do you know those lands?—I do.

6257. At what can the lands of Rinhoola be set at?—I valued some of them at 2*l.*

6258. Do you not know what Murphy may set them at?—I do not.

6259. But, according to your own valuation, you valued some of them at 2*l.*?—I did; and I valued some of them at something more.

6260. How far are they from M'Kiernan's farm?—I think seven or eight miles; one is in the mountainy part, and the other in a good fertile country.

6261. Mr. *Whitesides.*] Which is in the mountainy part?—M'Kiernan's.

6262. Mr. *Austin.*] Seven or eight miles, you say, they are distant?—I think Kiernan's five miles from Granard, and Rinhoola two miles from that, quite opposite that.

6263. Mr. *Whitesides.*] Kiernan's, you say, is in a mountainy country?—It is.

6264. Mr. *Austin.*] You were not the witness examined at the registration?—No.

6265. At what they call the Reform registry on the other side?—No, I never valued land at a registry.

6266. You were not the witness who was called against this man, who was called before the barrister?—I was not.

6267. Mr. *Wrangham.*] I understand you to say Kiernan's land is seven or eight miles distant from the farm my friend has been asking you about?—Seven at least, to the best of my opinion.

6268. Do I understand you to say Murphy's land is in the fertile country, and Kiernan's land in the mountainy country?—They are; the countries are quite different.

6269. *Committee,*] When you were on this farm did, you see Kiernan himself?—I did not.

6270. Do you know whether he has a lease?—Nothing more than hearsay.

6271. You did not see a lease?—I did not.

6272. Was Mr. Murphy the person who employed you to value the lands of Rinhoola?—I do not think he would; he is a good valuer himself.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is my case.

Peter Daly, sworn.

Examined by Mr. *Austin.*

Peter Daly.

6273. DO you know Michael Kiernan's land in the barony of Granard?—I do.

6274. Have you valued it?—I have

6275. When did you value it?—In February; I knew the farm very well; I have a farm just up by it.

6276. It is in your own neighbourhood?—It is; I pass through it in going to the bog where I cut my turf; I go through it perhaps 30 times a year.

6277. Have you had, therefore, good opportunities of knowing the value of the farm?—I have, having a farm in the same townland just adjoining it almost; There is only a small farm between them.

6278. What, in your opinion, is the value which a solvent tenant could afford to pay

pay for that farm per acre?—I think a solvent tenant could afford to pay 1*l.* 16*s.* for the land without the improvements that are on it, without the valuable pasturable bog, for which he pays nothing.

6279. You talked about improvements; what improvements are they you allude to?—His house and offices.

6280. Has he planted any trees on it?—He has.

6281. What sort of trees?—He has fruit-trees and forest-trees.

6282. There are some ash-trees, are there not?—Yes, and deals; I include them all in fruit-trees and forest-trees.

9283. Taking the trees and the improvements into consideration, what should you say in answer to the question I put to you—what would a solvent tenant give for the farm per acre, including all these things?—I think, including all the advantages, he could pay at least 2*l.* 8*s.* an acre.

6284. That is, including the trees, and improvements the man has made?—Yes, and the advantage of the pasturable bog.

6285. Can you put a separate value on that pasturable bog; have you considered it in that way?—I did not; I took it on an average of the whole; I have a small farm about the same size in the same townland set at 2*l.* 6*s.*, and I keep those advantages that are let with this farm to myself, the advantages that are attached to my farm of bog; but as to the pasture in that way, I keep that myself.

6286. What I want to know is, whether you can give us an acreable value, including the improvements, and not including the pasturable bog; I think you say it is 2*l.* 8*s.*, taking it altogether?—I do.

6287. Taking all these things into consideration, except the pasturable bog, can you put an acreage value on it; how much should you deduct per acre for the bog, supposing the bog was taken away?—I would take 4*s.* off for the bog, or more.

6288. *Committee.*] How much of this bog is there?—I really do not know as to the measurement of it; I suppose there are not less than eight or nine acres in commonage between him and his brother.

Cross-examined by Mr. *Wrangham.*

6289. Then, deducting this bog, of which you do not know the quantity, and which is not in the lease?—I do not know whether it is in the lease; I have not seen the lease.

6290. Deducting for the bog, therefore, 5*s.* an acre, you would deduct that from it?—From 4*s.* to 5*s.* an acre.

6291. That would reduce you from 2*l.* 8*s.* to 2*l.* 3*s.* per acre, would it not?—I do not know.

6292. You mean to say you cannot take away five from eight, and tell us how many there remain?—I can.

6293. Then how many remain; if you take away the five from the eight, you leave three?—Yes.

6294. One pound sixteen shillings, you say, is the value of the land per acre?—I think so.

6295. So that you add 9*s.* an acre, or 2*l.* 14*s.* in the whole, for these improvements, as you call them?—I do not; I think it is too little.

6296. Then what is it you add for them; for the improvements, independent of the bog?—I told you the value I set on them.

6297. What did you add for them; I want to know what you added to the value of the land in respect of the improvements?—I believe I told you that before.

6298. Then tell me now, what do you value them at?—In the whole I valued them at 2*l.* 8*s.* an acre; if you will take the trouble, I will give you the items, and you shall cast it up.

6299. What did you add for the improvements?—I have told you the value I put on the whole.

6300. What is it you add to the value of the land in respect of the improvements?—I told you the value of the whole of the land.

6301. *Committee.*] Have you got your book with you?—I have.

6302. Mr. *Wrangham.*] Let me see that book?—I shall do no such thing.

6303. Will you let me look at that book?—I think it is very hard I should spend my time in making a book for your convenience.

Peter Daly.

1 May 1837.

6304. Let me look at that book, if you please?—[*The Witness produced the book*].

6305. What is it you value the house and offices at yearly?—Will you let me have that book; I made that book to assist me.

6306. You never looked at that book when you answered my friend?—Because I knew the land without the book very well.

6307. Now read your note, will you?—"Michael Kiernan, of Cloonagh, land worth per acre 1*l.* 16*s.*; houses and offices worth 4*l.* per year."

6308. I ask you, what is it you give per acre for this house and offices?—It is not by the acre houses ever set.

6309. You say land is worth 1*l.* 16*s.* per acre, and you have added a certain sum per acre to that for the house and offices; I ask you, how much you have added to the value of each acre for the house and offices?—I valued the land at what it is worth, and if I tell you the sum, you can calculate it yourself; or if you tell me the number of acres that are in it, it is very easy to calculate what it is per acre.

6310. I suppose you know the size of the farm?—I do not know it.

6311. This is a farm of 9 acres 1 rood 1 perch; I ask you, how much you have given of additional value to each acre in respect of the house and offices?—It is very easy to divide 6*l.* by nine acres.

6312. Will you tell me what it is?—I will; it is something about 13*s.* an acre.

6313. Is that what you have added to the value of each acre?—It appears so.

6314. Are you the gentleman who told us the other day that the mode of valuation depended on the length of the term?—I am.

6315. And you abide by your former opinion?—I do.

6316. That land will let for more for a short time, for a year or two, if it is in a good state, than it will at a long term?—It will.

6317. In order that you may work the land out?—Just so.

6318. For the purpose of exhaustion?—Just so.

6319. You think that a fair and proper mode of taking the value of land, what a tenant would give for a year or two?—If I am asked what it is worth from year to year, I would give it.

6320. Is that the way you have taken the value of it per year?—It is only where the land is not in a common and ordinary state, but in an extraordinary state, that we take it in that way.

6321. Do you know the lands of Rinhoola?—I do.

6322. How far are they from this?—I am not able to say.

6323. How far are they from this man Kiernan, of Cloonagh?—I suppose they are four miles at least.

6324. Are they not more than four miles, a good deal?—They are not.

6325. Will you swear they are not seven?—I will.

6326. Will you swear they are six?—I will.

6327. Will you swear they are not five?—I will not.

6328. Do you believe they are five or not?—They are between four and six.

6329. Five are between four and six, you know?—They may be; they are not six, and I think they are not five.

6330. Are they better land, or worse than this?—They are far better land than Cloonagh.

6331. It is a fine country for land there?—In general, the barony of Granard is as good land as any I know of in the county.

6332. You say the lands of Rinhoola are better lands than this?—I do.

6333. You talk of the trees; do you know how many trees there were?—I think about 300 forest-trees and 30 apple-trees; there are more than 300.

6334. Do you happen to know that the voter himself happened only to swear to the value of two guineas for this?—I do not know; I do not care.

6335. If he, when he came up to be registered, swore it only up to two guineas an acre, would that shake your opinion with regard to its being worth more?—Nothing could shake my opinion with regard to my own conviction.

6336. Then I understand you have added 13*s.* 6*d.* an acre in regard of the house and offices, 6*l.* divided by nine?—Yes, by nine and something.

6337. Therefore you have added to the average value of the land 13*s.* 6*d.* for the house and offices?—I have added 6*l.* in the whole.

6338. You took the land at 1*l.* 16*s.* without the house and offices?—I did.

Re-examined

Re-examined by Mr. *Austin.*

Peter Daly.

1 May 1837.

6339. Do you know at what the Rinhoola lands are set?—They are set at from 50 *s.* to 3 *l.* 10., unless to two that are on it, and they are freeholders, and have it cheap.

6340. Do you still adhere to your opinion, that this is worth from 48 *s.* to 49 *s.* per acre, with the improvements?—I do; I have a farm of the same size just beside it, and it pays me 11 *l.*, and I could get 12 *l.* from another tenant; but the man that is on it is a very good tenant; I have a farm beside it, and I have 11 *l.* a year profit out of it beyond what I pay, and I could get another pound, but I prefer letting it to the man that is on it, as he is a good tenant

Examined by the *Committee.*

6341. You get 11 *l.* a year for it more than you pay?—Yes, at the same rent, and on the same townland.

6342. Do you know whether Kiernan has a lease?—I do not know any thing about that; I think he has a lease, because everybody on the townland has a lease; Lord Southwell's tenants all have leases.

6343. To what extent or term are those leases?—I think 31 years, or three lives.

6344. How much do you pay for that land which you let at 11 *l.*?—I paid 10 *l.* 5 *s.* for the nine acres and a rood.

6345. You stated at first you valued this land at 2 *l.* 8 *s.*?—With the house and improvements.

6346. And the bog attached?—Yes.

6347. Then you take off 4 *s.* or 5 *s.* an acre for the bog?—I do.

6348. And then that made it come to 2 *l.* 4 *s.* without the bog?—Yes.

6349. Then you were asked to value it separately, and you said 1 *l.* 16 *s.* per acre without the house?—Without the house or bog, or any thing.

6350. Then you were asked to put on a value for the house and improvements, and you said that was 13 *s.* 6 *d.*?—I meant the attachments.

6351. Do you know that you have made it come to 2 *l.* 9 *s.* 6 *d.*, after deducting the bog?—I meant that, with the bog and houses and offices.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed the Committee had come to the following resolution:—

"That the vote of Michael Kiernan be struck off the poll."

Mr. *Whitesides.*] The next vote is that of Thomas Kelly; 135 on the list, 31 on the poll.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

6352. Mr. *Whitesides.*] Do you produce the affidavit of Thomas Kelly.—I do

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace, holden at Longford, in and for the county of Longford, on the 7th day of April in the year of our Lord 1835, I, Thomas Kelly, of Cloughurnell, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Cloughurnell, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 25th day of March in the year 1832; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Thomas ✕ Kelly.
mark.

Sworn and subscribed before me, in open Court, this 7th day of April 1835,
George French, Assistant Barrister.

1 May 1837.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Kelly, of Cloughurnell, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cloughurnell, in the barony of Granard, in this county.

Dated this 7th day of April 1835, at Longford.

George French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1519.

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

6354. WERE you present when Thomas Kelly came up to be registered?—I was.

6355. Was he objected to on the ground of value?—He was.

6356. Read the whole of your note?—Thomas Kelly, of C——, produced a lease of 12 acres 1 rood, rent 22*l.* 14*s.*; would not give it for 10*l.* a year; paid half a year's rent fine.

6357. What does he mean by would not give it for 10*l.* a year?—Would not give his interest for 10*l.*; "does not know what he could get per acre? Mr. Flood was examined on behalf of the claimant, and swore the value to be 3*l.* an acre; valued the house at 8*l.* a year; admitted."

6358. Then Mr. Flood was examined in support of the claim?—Yes.

6359. State to the Committee whether any thing else took place at the registry; was he objected to on any other ground?—Yes.

6360. Mr. *Austin.*] Have you any other memorandum of it in your book?—No.

Re-examined by Mr. *Wrangham.*

6361. Do you remember him being opposed on any other ground?—I do.

6362. State to the Committee what the other ground of objection was?—The other ground of objection was, that he had been rejected by a former Committee of the House of Commons on the ground of value.

6363. And notwithstanding that, he was registered?—He was.

6364. Did they examine the voter as to that?—They did; counsel cross-examined him as to that point.

6365. Did he admit or not admit that he was struck off by a Committee of the House of Commons?—I do not know.

6366. *Committee.*] Flood valued it at 3*l.* per acre?—Yes.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

6067. DID you serve a notice on Thomas Kelly, of F——?—I did.

6068. How did you serve it?—Personally.

6369. What day did you serve it?—On the 14th for the 28th.

[*The Witness was ordered to withdraw.*]

James Wiggins, called.

Examined by Mr. *Whitesides.*

James Wiggins.

6370. DID you value the farm of Thomas Kelly, of Cloughurnell, in the barony of Granard?—Which of the books am I to look at?

6371. Look at the first, and tell us whether you valued that farm?—I have.

6372. State to the Committee what kind of farm this is?—It must be a middling farm from the price I allowed for it; the lands must be middling or pretty good from the price I put on it.

6373. Is there a house upon it?—There is a cabin upon it.

6374. Now, taking the cabin and every thing you saw on the farm, according to the best of your judgment, what rent could a solvent tenant afford to pay for this farm?—Thirty-two shillings I valued it at.

Cross-

Cross-examined by Mr. *Austin*.

James Wiggins.
1 May 1837.

6375. There is 19*l.* 4*s.* 5*d.*?—I do not know; I am not sure of the number of acres in it.

6376. Do you recollect the farm without looking at that book?—Yes, I remember the country.

6377. That is not an answer to my question; do you recollect the farm, looking at that book?—I cannot bring to my mind the farms regularly to describe them now; there are some of them I cannot; but I am better acquainted with some others.

6378. Then I understand this is one which you cannot remember perfectly without looking at your book?—Not at all.

6379. Among them is this?—Yes.

6380. And you can only recollect this farm by looking at your book?—I cannot talk of this farm without referring to my book.

6381. Do you recollect the shape of it, how it is laid out?—No.

6382. Not how many divisions there are in it?—No, I was satisfied when I looked at it.

6383. You do not remember that now?—No.

6384. Do you remember what state of cropping it was in?—There was very little laid down when I was on the farm, which was early in February.

6385. You do not recollect how much arable or how much pasture there was?—No, I do not.

6386. All you speak from is the figures you have got down in that book?—Yes; I am satisfied we have allowed the fair value for it.

6387. We will admit it to be the fair value of every thing; but all you speak from is the figures in this book?—Certainly, in order to be correct.

6388. How far is this farm from Granard?—I should suppose about three miles.

6389. What does this mean—these initials?—These are the initials of one gentleman who went to value, and these are the initials of another gentleman; and these are my initials; every evening, when we settled upon the value, we made a note in common, and then we added our initials to it, that we might be sure of it.

6390. Then you settled it in the evening?—Yes.

6391. You have no account of any thing upon the farm; nothing but the acreage and the price?—That is the whole.

6292. That is all you can speak to now?—It is.

Re-examined by Mr. *Whitesides*.

6393. From looking at this, your recollection is refreshed?—

6394. *Committee.*] You have no separate valuation of the house from the land?—No.

6395. How do you know it was a cabin?—I know it was only a cabin; there is very little else in the country among small farmers.

639 . Then you only know it is a cabin, because they are all cabins in that part of the country?—I have noted it down as a cabin.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Peter Daly, called.

Examined by Mr. *Austin*.

Peter Daly.

6397. DO you know Thomas Kelly's farm?—I do.

6398. Have you got a minute of it in your book?—I have.

6399. Look at your book; what is the name you have got there?—Thomas Kelly, of Cloughurnel.

6400. How much land is there in his farm?—I think about 13 acres; I think there is something more.

6401. There is a rood, or something more, is there not?—I do not exactly know.

6402. When did you value the farm?—I was present on it twice to value; I went to value it in February, a few days before I came here.

6403. In what state of cultivation was the land?—It was in the best state of any farms I saw in the county of Longford.

6404. What sort of house is there upon it?—A very good house.

Peter Daly.

May 1837.

6405. Is there a stable on it?—Yes, there is.

6406. And a cow-house?—Yes, and a good one.

6407. Is there a car-house?—Yes, there is; and barn and piggery, cart-house and two good carts.

6408. Do you know how the land is laid out, how much pasture land is there?—I think not more than one acre and a half pasture.

6409. Do you know how the land was sown?—The remainder of it was sown with oats, except an acre and a half appropriated to potatoes, and an acre and a half of meadow.

6410. We hear it is about three miles from Granard?—I think it is not so far; I think it is not more than two miles.

6411. Then it is very near the town of Granard?—It is something less than two miles.

6412. What, in your opinion, could a good tenant like Thomas Kelly himself afford to pay for that farm?—I think he could pay 3*l.* 3*s.* an acre for it for seven years; there is not an acre on the farm that would not set for 6*l.* an acre by the year.

6413. You think he could pay 3*l.* 3*s.* an acre for seven years; what could he pay for a longer lease, with the house and offices?—I think it would set for 2*l.* 10*s.* or perhaps 2*l.* 15*s.* an acre.

6414. There is one field that was valued by him at the registry at 3*l.* an acre; do you think he was over the mark?—I do not think it was much out of the mark, for a short time it is worth a good deal more than 3*l.* per acre.

6415. What, in your opinion, would this farm set at this moment for a long lease?—I think it would set for at least 2*l.* 15*s.* an acre, with the house and offices on it.

6416. The whole occupation?—Yes, the whole occcupation; it is all prime good land.

Cross-examined by Mr. *Whitesides.*

6417. You said at least it would set at 2*l.* 15*s.* an acre on a long lease; did you not say 2*l.* 10*s.* the moment before?—I do not think I did; what I said was, it would let from 50*s.* to 55*s.* an acre.

6418. Which will you take, 50*s.* or 55*s.* an acre?—If I was taking it, I would rather take it at 50*s.* than 55*s.*, but I think it would set at 55*s.*

6419. As between landlord and tenant?—Yes.

6420. That would be a fair rent which a solvent tenant could pay?—I think a solvent tenant could pay it, considering the state it is in, and the house and offices.

6421. The house and offices are good?—They are very good.

6422. What kind of house?—The house is near 50 feet long.

6423. Is it thatched?—It is.

6424. Did you measure it?—I stepped along it.

6425. When did you do that?—Very shortly before I came up.

6426. What day did you go and look at the farm?—I cannot say the exact day.

6427. *Committee.*] Was it since Christmas?—I have been twice on it since Christmas.

6428. Mr. *Whitesides.*] I think you said it was worth 2*l.* 10*s.* an acre; have you valued it in the book by the acre; read the entry to the Committee?—"Thomas Kelly, land worth 2*l.* 5*s.* or 2*l.* 7*s* an acre; there are a dwelling-house, dairy, barn, stable, cow-house, piggery, well built with stone and lime; they are worth about 10*l.* yearly, according to my calculation."

6429. Thomas Kelly, land worth 2*l.* 5*s.* or 2*l.* 7*s.*; when did you write this seven?—On my oath I wrote it in my house at the time; it might not be the same hour in which I wrote the rest.

6430. Is the ink different?—It is all the same ink, out of the same bottle.

6431. How long was it after you wrote the 2*l* 5*s.*, and you put the seven there?—It was not 48 hours.

6432. It was after?—Of course, it must have been after, because the other is written before it.

6433. Did you make a calculation of the 2*l.* 5*s.*?—I never made any calculation of that.

6434. As to whether that would give an interest of 10*l.*?—No.

6435. Thomas Kelly's land worth 2*l.* 5*s.* or 2*l.* 7*s.* an acre, with a dwelling-house,

Peter Daly.
1 May 1837.

house, dairy, barn, stable, cow-house, piggery, well built with stone and lime, in perfect repair, worth about 10 *l.* I see you have interlined the house and piggery worth 10 *l.*?—I have interlined it.

6436. Just after you have put down valuation of the land at 2*l.* 5*s.* an acre, you have interlined in the middle of a sentence house and piggery; when did you write that?—Not 48 hours after I wrote the rest of it.

6437. You wrote it after you valued the farm at 2*l.* 5*s.* an acre?—In every farm you will find I wrote the value of the house separate from the land.

6438. Did you see any person from the time you made the first entry in the book until you made the second entry as to the value of the house; did you talk to any body about the value of the farm?—No.

6439. You put the 10 *l.* afterwards, after you wrote the first part?—I must always write the first part before the second part.

6440. Do you mean to tell the Committee that, as between landlord and tenant, it is worth 6 *l.* an acre?—For one year.

6441. For seven years, it will let for more than for 21 years?—Of coure it would.

6442. What is it worth, as between landlord and tenant, on a long lease, a lease for 21 years?—It would be worth 2*l.* 15*s.* an acre.

6443. Is that a usual rent in that part of the country?—I do not know that it is.

6444. Do you know whether he was struck off the poll by the last Committee?—I do not know.

6445. Were you examined before that Committee?—No, I never was examined upon the franchise before.

6446. *Committee.*] Would you on a lease for seven years give three guineas an acre for this land?—I would give three guineas an acre.

6447. Is there a market at Granard?—The best corn-market within 20 miles.

6448. Is there not a railroad there?—There is a railroad projected by this very farm.

The Committee came to the following resolution:

"That the vote of Thomas Kelly was a good vote, and be retained on the poll."

Mr. *Wrangham.*] The next vote we object to is the vote of Cormick Dowd; Number 33 on the poll, and 119 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

6449. DO you produce the affidavit of Cormick Dowd, of Ballymore?—I do.

[*The following Document was then handed in:*]

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, Cormick Dowd, of Ballymore, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Ballymore, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 19th day of December, in the year 1821; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Cormick Dowd.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

1 May 1837.

County of Longford, } ENTRY of CERTIFICATE of REGISTRY.
to wit. }

This is to certify, That Cormick Dowd, of Ballymore, was this day duly registered before me as a voter for this county, in right of a freehold, of the yearly value of 10*l.*, situate at Ballymore, barony of Granard, in this county.

Dated this 15th day of November, 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1189.
Pd *Flood.*

James Ganly, called.

Examined by Mr. *Whitesides.*

James Ganly.

6450. WERE you present when Cormick Dowd came up to be registered?—I was.

6451. Was he objected to on the ground of value?—He was.

6452. Read your note?—"Cormick Dowd, eight acres, rent 10*l.* 8*s.*"

6453. *Committee.*] Is that the whole of your note?—Yes.

6454. Mr. *Robinson.*] Was there any discussion as to value?—I know from my note he was cross-examined.

6455. Were you up here on the last controverted election for Longford?—No.

6456. Do you happen to know whether this person was objected to then?—I do not.

6457. Do you know whether he voted on the last election before this?—I do not.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

James Armstrong.

6458. DID you serve a notice to produce on Cormick Dowd, of Ballymore?—I did.

6459. When did you serve it on him?—On the 16th for the 28th

6460. How did you serve it?—In person.

6461. Mr. *Robinson.*] You knew him well?—I had seen him often before.

6462. You knew him by name?—Yes.

[*The Witness was ordered to withdraw.*]

Andrew Brock, sworn.

Examined by Mr. *Whitesides.*

Andrew Brock.

6463. I UNDERSTAND you hold land in the county of Longford?—I do.

6464. Are you acquainted with the value of land?—I am.

6465. Did you go to value any farm with Mr. Wiggins?—I did.

6466. Did you value the farm of Cormick Dowd, of Ballymore, in the barony of Granard?—I did.

6467. Do you know the value of land in that part of Longford?—I do.

6468. To cut the matter short, taking into account any thing there may be on that farm, whether it is trees, ditches, houses, offices or gardens, what is the best rent that a solvent tenant could afford to pay in the market for that farm?—I consider, with all the improvements you have mentioned, 40*s.* would be the very highest.

6469. And do you think a solvent tenant could be got to pay that rent for it?—I think a solvent tenant might for so few acres.

Cross-examined by Mr. *Robinson.*

6470. How long have you known Cormick Dowd?—I have known the land 20 years.

6471. Not Cormick Dowd?—No, not him

6472. Were you subpœnæd to give evidence here on the last controverted election?—No.

6473. You did not give evidence about Cormick Dowd's note on that occasion?—No.

6474. Do you know who did?—I did not.

6475. *Committee.*] How far is Dowd's holding from the town of Granard?—About four miles

6476. Four

6476. Four Irish miles?—Yes.

6477. Do you know whether he has a lease of this farm?—I do not.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Peter Daly, called.

Examined by Mr. *Robinson.*

6478. DID you examine the land of Cormick Dowd, of Ballymore?—I did.

6479. When?—In February.

6480. Did you go carefully over it?—I did, as carefully as if I was going to take it.

6481. What do you say it is worth by the acre; did you take any memorandum about it in your book?—I did.

6482. You had better just look at that; read it out?—"Cormick Dowd's land worth 2*l.* 7*s.* 6*d.* per acre; house and offices worth 6*l.*;" and that is a low valuation of the land, with the exception of one acre that is in it; it would set for 50*s.* an acre, even without the house.

6483. Do you know this Cormick Dowd well?—Pretty well.

6484. Do you know whether he voted on the last election?—I think he did; I heard he did.

6485. How long has he been on this same estate?—He has been longer on it than I know.

6486. Longer than you recollect?—Yes.

9487. Mr. *Whitesides.*] It is 2*l.* 7*s.* 6*d.* without the house?—Yes.

6488. Allow me to look at that book?—I will—[*handing it to the learned Counsel.*]

6489. Mr. *Robinson.*] What do you think a solvent tenant would be able to give for it altogether?—I think he would give 3*l.* at least, with the house and land and all on it.

6490. Do you know who is the landlord?—I do not think it is on the Granard estate; I think it is Lord Greville's, but I am not sure.

6491. Were you subpœnæd to give evidence on the last occasion?—I did not give any evidence.

Cross-examined by Mr. *Robinson.*

6492. It was 2*l.* 17*s.* you put in the last case?—I really cannot say; you have it there.

6493. Which is furthest, Dowd's place or Kelly's?—Kelly's is furthest from Longford.

6494. From Granard, I mean?—I think there is very little odds.

6495. I do not ask you the odds; you swear, you do not know the distance?—I do not think there is much difference.

6496. You say that house is worth 6*l.*; 15*s.* an acre then, is the value of the house?—Not the house singly, but the houses altogether make it 15*s.* an acre.

6497. Will you just read that word, [*pointing to the book*]; does that mean mud?—Yes.

6498. The houses built of mud are worth 15*s.* an acre?—Yes.

6499. *Committee.*] Which is the furthest from Granard, this farm of Dowd's or Kelly's?—There is very little odds; of the two, I think, Dowd's is the furthest.

6500. How far do you suppose Dowd's is from the town of Granard?—It may, perhaps, be two miles and a half or so.

6501. Do you consider those eight acres good land, and as peculiarly advantageous, because of their being so near to the town?—It is naturally a good land, with the exception of an acre and a half.

6502. What would you give for it for one year?—I would give 3*l.* 3*s.* for it.

6503. What would you give for it for seven years?—I think I would give 2*l.* 15*s.*

6504. Mr. *Whitesides.*] What would you give for 21 years?—I would give what I have entered here, 2*l.* 7*s.* 6*d.*

6505. *Committee.*] You spoke of houses; how many houses are there?—There is a dwelling-house, a cow-house and a barn.

6506. Not other dwelling-houses?—No, a house to keep cows in; there are out-offices belonging to the farm.

Peter Daly.

1 May 1837.

6507. You say the house is worth 6*l.* a year; is it usual to value the house alone in letting a farm, or to take it all in a lump?—No, it is not usual.

6508. But still you did it?—I did.

6509. But it is not usual so to do?—It is not in setting farms.

6510. Is not that a very high value you have put on the houses?—I think they would set for that, in the way I see often cabins set; and these are comfortable cottages for a farmer holding that size farm.

6511. We have heard of five shillings an acre being put on for houses, but not of such a sum as this?—I cannot help that; that is what I think.

6512. What would it cost to build that house, all the houses, offices and all?—I think it would cost between 30*l.* and 40*l.*

6513. Is it new?—No, it is not immediately new.

6514. How old do you suppose it is?—I really cannot say; what has been a few years built, you would hardly know from its appearance.

6515. Is it built of mud or stone?—It is partly of mud.

6516. And it would cost 30*l.*?—It would cost more, house and offices.

6517. Is it in good repair?—It is.

6518. Were you inside the house?—I was, but no further than the kitchen.

6519. Were there windows to it?—There were three windows to it, and two rooms and a kitchen.

6520. Is there any up-stairs?—No, there is not.

6521. How high is it?—I think the side wall is from seven to eight feet high.

6522. How many houses are there; you talk of houses?—A cow-house, barn and piggery.

6523. Is there a good cow-house and stable?—A good cow-house and barn.

6524. A good stable?—He keeps a horse, but I think they keep him in the same house with the cows.

6525. Are all the offices built of stone or mud?—Partly of both.

6526. I suppose you mean only as much stone as is necessary?—They build the foundation of stone to a certain height; in this case I suppose it is built near half the height; it is a mud cabin or house; the remainder is built with mud to the top.

6527. It is what we call a mud cabin, is it?—I do not know what you call a mud cabin.

6528. What do you call it?—It is a cabin.

6529. What do you call it?—I call it a mud-wall house, but it is partly of stone.

6530. This stone is not dug or worked out of the quarry?—The quarries are very plentiful there, and a house of that size is more comfortable built of mud than it would be of stone.

6531. Seven feet high?—From seven to eight feet high.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the vote of Cormick Dowd be struck off the poll."

Mr. *Whitesides.*] The next is John Cullen; 118 on the list, 4 on poll.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

6532. Mr. *Whitesides.*] DO you produce the affidavit of John Cullen?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace holden at Longford, in and for the county of Longford, on the 5th day of April, in the year of our Lord 1836, I, John Cullen, of Cloonagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Cloonagh, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 21st day of

of June in the year 1835; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them, nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD. 1 May 1837.

John Cullen.

Sworn and subscribed before me, in open Court,
this 5th day of April 1836.

F. Lindesey, Acting Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Cullen, of Cloonagh, in the said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cloonagh, in the barony of Granard, in this county.

Dated this 5th day of April 1836, at Longford.

F. Lindesey, Acting Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1610.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

6533. WERE you present when John Cullen was registered in 1835?—I was.

6534. Was he objected to on the ground of value?—He was.

6535. Mr. *Robinson.*] Was this note taken by yourself?—It was.

6536. Mr. *Whitesides.*] Read the note?—"He produced a lease made in June 1829 of 11 acres, 1 rood, 8 perches, paid for rent and tithes, 15*l.* 2*s.* 6*d.* Irish; that the rent was only 15*l.* 2*s.* 6*d.*, which is 24*s.* an acre; was cross-examined by the Court to know its value; said he formerly paid 2*l.* 5*s.* 6*d.* before the new lease from Lord Southwell; said he could get 48*s.* an acre if he would set it; held formerly from a middle landlord."

6537. *Committee.*] Did you see the lease?—I did.

6538. What did the lease mention?—It mentioned 11 acres, 1 rood, 8 perches.

6539. What was the term?—I do not know what the term was; it was for years or lives.

6540. Was it renewable for ever?—It was not; the lease was from Lord Southwell.

Cross-examined by Mr. *Robinson.*

6541. What rent did he say he formerly paid?—That he formerly paid 2*l.* 5*s.* 6*d.*, and held under a middle landlord; he had now got a new lease from the head landlord for 12*l.* 7*s.* 6*d.*, which was 24*s.* an acre.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

6542. DID you serve a notice on John Cullen, of Cloonagh?—I did.

6543. How did you serve him?—Personally.

6544. When?—The 14th, for the 28th.

6545. Mr. *Robinson.*] Do you know John Cullen?—Well.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides.*

Andrew Brock.

6546. DID you value the farm of John Cullen, of Cloonagh?—I did.

6547. What description of land is it?—The land is mountainy land; a part of it is very bad, mountainy and rocky.

6548. Is there a house upon it?—There is.

6549. What kind of house is it?—The house is built with stone.

6550. Is it thatched or slated?—Thatched.

6551. Now, including the value of the house, what is the highest rent for this farm which you think a solvent tenant could afford to pay for it?—The highest rent that he could possibly pay for it is 20*s.* an acre.

6552. Did you ever hear of a house upon a farm being let, or the farm being valued

Andrew Brock.

1 May 1837.

valued separately from the house, or is the house included in the farm?—The house is included with the farm, and all improvements of every kind on the farm.

6553. Is that the usual way in which the farm is valued when the tenant takes the farm?—Decidedly.

6554. Can you tell the Committee what is the expense of building a respectable cabin, or a house of three rooms, 40 or 50 feet long, and 7 or 8 feet high; what do you say would be the cost of it with a cow-house?—I built stone-walled houses for the residence of workmen, and they cost me from 5*l.* to 6*l.* a piece.

6555. *Committee.*] What would the offices cost?—The offices would cost 2*l.* or 2*l.* 10*s.*; that would all rest with the size of the offices.

6556. Mr. *Whitesides.*] That is 7*l.* 10*s.*; speaking of mud houses, was there stone at the bottom and mud at the top; what is the cost of building a house of that kind?—I should say about 4*l.*

6557. What are the offices generally attached to the house?—Generally very small, which will hold about three beasts.

6558. What is the cost of offices of that nature and size?—I think the cost of such an office would be from 2*l.* to 2*l.* 10*s.*

6559. What would be the cost of the piggery?—I think about 5*s.*

Cross-examined by Mr. *Robinson.*

6560. How long were you going over this farm?—I had been looking at it previously in February last.

6561. How long were you about it?—About half an hour.

6562. What sort of land is it?—About five acres of it bad, rocky, mountainy land; and there is, I think, about six acres more.

6563. What is that?—Rather a better description of mountainy land.

6564. Does there happen to be some good meadow on part of the mountainy land?—No, I did not see any on it, and I am sure there is no good meadow upon it.

6565. Who showed you over it?—A man of the name of M'Coy.

6566. Anybody else?—He showed me the farm.

6567. He told you it was John Cullen's farm?—Yes.

6568. You say there was no meadow on it?—There was no good meadow; I could not see any meadow which I could call meadow; there might be a patch of pasture, but I would not call that meadow.

6569. You say you think 20*s.* an acre is a high rent for it?—Yes.

6570. You do not believe a solvent tenant could pay more than that for that?—I am satisfied of it.

6571. What do you value the best part of his farm at?—I consider the best part might be worth 25*s.* an acre.

6572. I suppose the bad rocky part is worth nothing?—It was very bad to value it; I rode over the whole of it very carefully; I found it a difficult matter to value it, because it was so exceedingly bad.

6573. You think that five acres is worth 25*s.* an acre, and the rest was worth nothing?—I think the rest would be worth from 12*s.* to 15*s.* an acre.

6574. Do you know whether John Cullen voted before for this mountainy and stony land?—I do not know.

6575. *Committee.*] What do you mean by saying that the land was so excessively bad that you were hardly able to value it?—It was so very rocky that I did not know how I could value it, and how a man could drive a plough through it, or how he could attempt to till it.

6576. What induced you to put it at 25*s.* an acre on that land?—It was not that part.

6577. Then what do you put that at?—I consider it to be worth about 12*s.* 6*d.* an acre; as there was a cabin built on that part, it might bring 15*s.* to let for him.

6578. Does this land appear to have become more mountainy and more stony of late years?—I cannot say.

6579. You do not believe it ever was worth more than 2*l.* an acre?—That is quite out of the question; it never has been, and never will be.

6580. Mr. *Whitesides.*] Is that the barony you live in yourself?—Yes.

6581. Mr. *Robinson.*] Who is the landlord?—I cannot tell you.

6582. How long have you known it?—I have been in the habit of seeing it several years.

6583. You do not know who the landlord is?—I never inquired.

[*The Witness was ordered to withdraw.*]

Peter

Peter Daly, called.

Examined by Mr. *Wrangham*.

Peter Daly.
1 May 1837.

6584. DO you know John Cullen's land?—I do; I have land adjoining it.
6585. Is there any meadow there?—There is.
6586. How much?—About one acre and a half of meadow; it is not fastened to the farm, it is separate to the farm; it is opposite to a house that leads to a little pass which I have on a farm of mine there.
6587. Is it part of the same taken as the rest?—It is, I believe.
6588. What is the quantity altogether of which this farm consists?—I should think about nine acres.
6589. Including the meadow?—Yes.
6590. What sort of meadow is it?—Very good meadow.
6591. What do you say that is worth per acre?—I think it is worth 4*l.*
6592. Do you mean to say it is worth 4*l.* from year to year?—Yes, every year.
6593. It is good meadow?—Yes, it is very good meadow.
6594. What do you say it is worth altogether, including the whole?—It is worth 4*l.* an acre, the meadow.
6595. What is the other worth, the remainder of the farm?—I should think, from the size of the farm, it would set at 2*l.* 2*s.* an acre, or 2*l.* at any rate; I am getting 2*l.* 6*s.* for land adjoining it, which is worse.
6596. Your land adjoins it?—It does.
6597. And you get 2*l.* 6*s.* an acre for your's?—I do.
6598. Are you paid?—What is due on the 25th of March is paid on the 27th.
6599. Is there a building or dwelling-house on Cullen's land?—There is.
6600. What sort of house is it, the same as the other people have?—A very fine stone house, well built with stone and sand.
6601. How long has he been there?—He has been there longer than I can recollect.

Cross-examined by Mr. *Whitesides*.

6602. How much would it cost to build such a house?—I think it would cost 50*l.* to build such a house and offices.
6603. You were examined to-day in Kiernan's case, were you not?—Yes.
6604. How near is this farm to Kiernan's?—It is in the same townland.
6605. Is it exactly of the same nature?—It is better.
6606. Is it much better?—It is something better.
6607. What rent do you pay, I am desired to ask you, for your townland; what rent do you pay to your landlord?—I pay 10*l.* 5*s.* a-year.
6608. For how many acres?—Nine acres and a rood.
6609. Now, what do you let that for?—Two pounds six shillings an acre.
6610. How do you let it?—The whole nine acres and a rood.
6611. How long have you let it?—As long as he likes to stay in it.
6612. That is by the year?—Yes.
6613. There is no lease?—No lease.
6614. What is the name of the man that is in it?—M'Gaver.
6615. How long has he been in it?—Three years.
6616. Do you expect him to stay two years longer?—I do, because he is improving the place very much.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of John Cullen is a good vote."

Mr. *Whitesides.*] The next is Peter Early; 37 on the poll, 242 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. J. V. Crawford.

6617. DO you produce the affidavit of registry of Peter Early, of Kilfinton?—I do.

[*The following Document was then put in:*]

1 May 1837.

OATH of a LEASEHOLDER registering a Leasehold of the value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a general quarter sessions of the peace, holden at Longford, in and for the county of Longford, on the 30th day of June, in the year of our Lord 1835, I, Peter Early, of Kilfinton, in the county of Longford, do swear, That I now hold the houses and land situate, lying and being at Kilfinton, in the barony of Ardagh, under a lease bearing date the 20th day of February, in the year 1829, by and between Patrick Early and Peter Early, and that such leasehold is now of the clear yearly value of 10*l.* over and above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses or rates, and cesses upon any townland or division of any parish or barony; and that the said leasehold does not arise from a rent-charge; and that I have not accepted or procured the said leasehold fraudulently, nor in exchange for any freehold or leasehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court,
this 30th day of June 1835. *Peter Early.*

Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Peter Early, of Kilfinton, farmer, was this day duly registered before me, as a voter for this county, in right of a leasehold of the yearly value of 10*l.* at Kilfinion, in the barony of Ardagh, in this county.

Dated this 30th day of June 1835, at Longford.

Geo. French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1,578.

George Gardiner, called.

Examined by Mr. *Wrangham.*

George Gardiner.

6618. WERE you present when Peter Early came up to be registered in 1835?—I was.

6619. Was he objected to on the ground of value?—He was.

6620. What is your entry?—"He produced a lease, dated February 1829, from his father, of 13 acres 2 roods 12 perches; rent 23*l.* 15*s.* 4*d.*; said his father paid a fine for it; his father has eight acres in the same townland. Mr. Flood was sworn; says it was excellent land, worth 3*l.* an acre; the lease was for twenty-eight years; admitted."

6621. *Committee.*] What is Mr. Flood; is he the same person that we heard of with respect to the former voter?—The same person; he was a witness in support of the claim.

6622. What is he?—I believe he is a shopkeeper in the town of Granard.

6623. Was he a land agent?—I believe not.

Cross examined by Mr. *Robinson.*

6624. What do you know about Mr. Flood?—I have seen him very often examined.

6625. Where else have you seen him?—Very often at Longford.

6626. What has he been doing?—He has been attending the reform registry there.

6627. Did you see him on other occasions, except about the registration or valuing?—No.

6628. Mr. *Wrangham.*] You do know that Mr. Flood was examined in a great number of cases in support of the value?—He was.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

6629. DID you serve a notice on Peter Early of Kilfinton?—I did.

6630. When did you serve it?—I have not made out the date yet.

Cross-examined by Mr. *Robinson.*

6631. Are you sure you served Peter Early?—I am sure I did; I served him personally.

[*Witness was ordered to withdraw.*]

Jacob

Jacob Wiggins, called.

Examined by Mr. *Whitesides*.

Jacob Wiggins.

1 May 1837.

6632. ARE you agent for Major Blackall?—I am agent for Samuel Blackall, the son of Major Blackall.

6633. Is this a part of that estate?—It is

6634 It is a large estate, I believe?—It is 3,000*l.* a year.

6635. Is it called the Kilfinton Estate?—It is called the Coolaten Estate, Kilfinton is upon it.

6636. Is there a man of the name of Peter Early, who lives on the estate of Kilfinton?—He holds land under a middle landlord.

6637. Do you know the value of this farm?—Yes, I have valued it at 2*l.* an acre.

6638. Do you include in that every thing that stands on the farm?—In laying that value ugon it, I included every improvement, the house, offices and every thing.

6639. Is there a house on the farm?—There is.

6640. What kind of house?—A middling cabin on it, in a very bad condition.

6641. What would it cost to re-build such a cabin as that new; can you state of your own knowledge?—I got a house built last spring as good as it, which did not cost more than 7*l.* or 8*l.*; the cabin is made of clay, with a certain portion of stone at the lower part.

6642. What is the cost of building the offices?—It depends upon the quality of the offices.

6643. Offices attached to a house like this?—About three pounds.

6644. You being the agent of the Kilfinton estate, on which this man was a tenant, the rent of 2*l.* an acre you give as being the highest rent which a solvent tenant could afford to pay for this farm?—Yes.

Cross examined by Mr. *Robinson*.

6645. How long have you been an agent of this estate to Mr. Samuel Blackall?—Three or four years.

6646. Do you recollect this lease being granted?—No.

6647. Whether there was any fine paid you do not know?—No, I do not.

6648. Do you know of any land belonging to a man of the name of Cosgrave?—I do not.

6649. A tenant of Webster's?—There was a man, I believe, of that name, a painter.

6650. What sort of land is that land, is it much the same as this of Early's?—It is pretty much the same.

6651. Do you know what he pays?—He pays me no rent; Webster pays the rent.

6652. Is there meadow on this land of Early's?—There is not.

6653. These mud houses, as you call them, are much the same mud houses as are upon other tenants' land?—Pretty much the same; some have a little more stone than others.

6654. You say, that in letting the farm as between landlord and tenant, the highest rent at which it should be set would be 2*l.* an acre?—Yes, I have let several farms there; a little further than Early's at 2*l.* per acre, and some less, and the landlord is building, and is to build slated cottages upon the lands.

6655. If you were letting the land for Mr. Blackhall to a tenant, is 2*l.* an acre the rent you would ask?—When Mr. Blackhall has a farm to let, he applies to me, and I put whatever rent I think right upon it, and he is very apt to grant it at what I say it is worth.

6656. If you are fixing a rent for Mr. Blackhall as between landlord and tenant, would you say that 2*l.* an acre is a fair rent?—For this land I think it would be a fair value.

6657. *Committee.*] Do you know that the lease of this farm is for 28 years?—I know there was a lease granted to Kiernan.

6658. Does that increase the value?—I should suppose that lease is not worth more than 1*l.* an acre.

6659. He is a middle man?—Yes.

Jacob Wiggins.
1 May 1837.

6660. Mr. *Whitesides.*] Is not the lease you are speaking of at 1 *l.* an acre, a very old lease?—It is an old lease.

6661. *Committee.*] How much do you suppose the house and offices would cost building?—I think 10 *l.* would do it.

6662. Are the house and offices on this farm old or new?—Old, and from their appearance in a bad state; they appear to have been much neglected.

[*The Witness was ordered to withdraw.*]

Peter Daly, called.

Examined by Mr. *Robinson.*

Peter Daly.

6663. HAVE you valued the land of Peter Early, of Kilfinton?—I did.

6664. Just look at your memorandum-book, and tell us what it is worth per acre?—Two pounds ten shillings; it would set at 2 *l.* 10 *s.* an acre without the house and offices.

6665. Do you think that Peter Early, if he wanted to get rid of his farm, would be able to get a tenant at that rent?—If the house and offices were not on it, he would get that for it; it is very fine land, and very advantageously situated; there is a fine bog straight along it, and lime and stone-gravel on all the farm.

6666. Is it near a market-town?—Yes, near Granard.

6667. How far?—It is between three and four miles from Granard.

6668. How long have you known it?—I have known it a very long time, but I never was on the land but once.

6669. Did you know it before the present lease was granted in 1829, did you know it before that?—I knew it in a general way.

6670. Did you know what rent was paid for it before that?—No; I know that land in the neighbourhood pays a greater rent.

Cross-examined by Mr. *Whitesides.*

6671. Do you know whose estate the farm is on?—I do not.

6672. Is it on Mr. Blackhall's estate?—I think it is.

6673. Mr. Wiggins is the agent of the estate?—Yes.

6674. Did you ever value a farm as between landlord and tenant?—I do not understand you.

6675. Did you ever set a farm in your life?—Yes.

6676. Did you ever put a value on a farm as between landlord and tenant?—I have put a value as between myself and a tenant.

6677. Did you ever value a farm for any gentleman in the county?—No.

6678. Was this the original book you made?—Yes.

6679. You never had any book but this?—I had no book but this.

6680. Had you not field notes?—When I was valuing the farm I might take up a piece of paper like this, and write on it; that would have been worn out in my pockets; when I came home, I entered them in a book.

6681. What would it cost to build such a house as Early has on the farm?—I should suppose between 30 *l.* and 40 *l.*

The Committee-room was cleared; on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the vote of Peter Early be struck off the poll."

Mr. *Whitesides.*] The next vote we object to, is the vote of Cornelius Farrell; 18 on the list, and 9 on the poll on the third day.

John V. Crawford, called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

6682. DO you produce the affidavit of Cornelius Farrell, of Lehery?—I do.

[*The following Document was then handed in:*]

OATH

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88. 1 May 1837.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835, I, Cornelius Farrell, of Lehery, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Lehery, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rentcharge, and that the same arises by virtue of the deed, lease or instrument bearing date the 4th day of October in the year 1826; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court, this 6th day of April 1835,
Geo. French, Assistant Barrister.

his
Cornelius ⋈ *Farrell*
mark.

Truly read by me,
Mich. Donnelly.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Cornelius Farrell, of Lehery, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Lehery, in the barony of Rathcline, in this county.

Dated this 6th day of April 1835, at Ballymahon.

Geo. French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1480.

George Gardiner, called.

Examined by Mr. *Whitesides*.

G. Gardiner.

6683. HAVE you an entry of Cornelius Farrell, of Lehery?—Yes.

6684. Were you present when he came up to be registered?—I was.

6685. Was he objected to on the ground of value?—He was.

6686. What number of acres did he swear he held?—He produced a lease of 15 acres, 1 rood, 21 perches; rent 13*l.* 18*s.* 4*d.*

6687. Is that all?—No.

6688. Read the whole of your note?—"Says his father made a lease of part of his land, for which he was to pay his brother 50*l.*; it is worth 10*l.* above the yearly rent, and he could get a solvent tenant to pay it."

[*The Witness was ordered to withdraw.*]

John Corry, sworn.

Examined by Mr. *Whitesides*.

John Corry.

6689. DID you serve a notice on Cornelius Farrell, of Lehery, in the barony of Rathcline?—I did.

6690. When did you serve the notice on him?—Eighteenth February.

6691. How did you serve it?—I served it on his family in the house.

6692. Do you live in the barony of Rathcline?—I do not.

6693. Do you know it?—I do pretty well.

6694. Is this farm of Cornelius Farrell in a part of the country called the Callows?—It is.

6695. What part of the county of Longford is that in; is the land rather of a mountainy or a fertile character?—It is the very worst description of land in the county.

6696. What is the meaning of the word Callows?—I do not know.

6697. What kind of land is it in that part of the country?—In general, it is a very bad description of land.

John Corry.
1 May 1837.

6698. Is it rocky, or what?—It is rocky and sandy, and there are great running stones; a very bad part of it the holding is.

6699. What is the particular description of his holding?—It is very bad land, wet, spewy land; the greater part of it bottoms, nearly like a bog.

6700. Who went with you to see it?—Mr. Wilson.

6701. Is there a house on it?—There is a small cabin on it.

6702. Is there any other building on it, except the cabin, any offices?—There are offices, I believe, to it.

6703. Including both; what is the highest rent a solvent tenant could afford to pay for that farm?—I do not think a solvent tenant could pay more, according to my judgment, than 18*s.* per acre for it.

6704. What kind of house is it?—I believe it is a stone house.

6705. Is there an abundance of loose stone in that country?—A quantity; in any field you can get enough stone to build a house.

6706. How do they build a house, with loose stones or with mortar?—With loose stones.

Cross-examined by Mr. *Robinson.*

6707. How far from Rathcline do you live?—I suppose it is eight miles from his holding.

6708. When did you view it?—I viewed it on 18th February.

6709. In what weather was it?—It was very wet.

6710. Tell us how are these lands occupied, in what way; how much of it is in grass?—I cannot tell exactly how much is in grass; I have not a note of that.

6711. Is it all much the same sort of land?—It is all of the same description, except the bottoms, and that is of a worse description.

6712. How much is there worse?—I cannot say.

6713. About?—I really do not know.

6714. Give us some notion; did you not examine it for the very purpose of making a valuation?—I did.

6715. Cannot you tell me how much?—I took it on an average of the whole, one acre with the other.

6716. From your calculation, what is the proportion of the very bad?—I cannot say at all.

9717. All you know of it, taking it for better or for worse, whether there is much good or bad, is, that it is worth 18*s.* an acre?—Yes.

6718. How much do you think the house is worth?—I suppose 4*l.* or 5*l.* would build the house, with some of the offices too; it is a very small cabin.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Robinson.*

Thomas Bracken.

6719. HAVE you been to visit Cornelius Farrell's land, at Lehery?—Yes.

6720. When was that?—In the month of February last.

6721. Do you know the land?—I do.

6722. What do you say it is worth by the acre?—About 1*l.* 6*s.*

[*The Witness was ordered to withdraw.*]

George Gardiner, re-called.

Examined by Mr. *Robinson.*

George Gardiner.

6723. WHAT do you say are the quantities of the land held by Cornelius Farrell?—Fifteen acres, one rood and twenty-one perches.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Cornelius Farrell be struck off the poll."

Mr. *Wrangham.*] The next is Thomas Chapman; 32 on the poll, 6 on the list.

Mr. *John V. Crawford,* called.

Mr. *J. V. Crawford.*

6724. Mr. *Wrangham.*] DO you produce the affidavit of Thomas Chapman?—I do.

[*The*

1 May 1837.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace holden at Ballymahon, in and for the county of Longford, on the sixth day of April, in the year of our Lord 1835, I, Thomas Chapman, of Saint Alban's, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Saint Alban's, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 30th day of April, in the year 1827; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Thomas ⋈ *Chapman.*
mark.

Truly read by me, *Michael Donnelly.*

Sworn and subscribed before me, in open Court,
this 6th day of April 1835,
George French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Chapman, of Saint Alban's, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Saint Alban's, in the barony of Rathcline, in this county.

Dated this 6th day of April 1835, at Ballymahon.

George French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,470.

George Gardiner, called.

Examined by Mr. *Wrangham.*

George Gardiner.

6725. WERE you present when Thomas Chapman, of the barony of Rathcline, came up to be registered? —I was.

6726. Was he objected to and opposed on the ground of want of value?—He was.

6727. What quantity of acres did he swear out of?—He produced a lease of 16 acres, 1 rood.

6728. At what rent?—At 17*l.* 1*s.* 3*d.*, that is 1*l.* 1*s.* per acre.

6729. Mr. *Robinson.*] Do you recollect the date of the lease?—I do not.

6730. Do you know whether there was a term in it?—I consider it was a freehold lease.

6731. *Committee.*] Have you read the whole of your note?—No.

6732. Then read it all out?—"States his land is worth 35*s.* per acre, and that some tenants conveniently pay 2*l.* 2*s.*; admitted."

6733. By convenient, you mean adjoining? —Yes.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham.*

John Corry.

6734. DID you go to value the land of Thomas Chapman?—I did.

6735. Did you serve a notice to produce on him?—I did.

6736. Is this land convenient to Cornelius Farrell's?—It is a good piece from it.

6737. Is it in the same district?—It is in the same district.

6738. The Callows, as you call it?—It is.

6739. Did you value the land?—I did.

6740. What quality of land is it?—It is a very bad description of land; it runs along a bog edge; it is a light, gravelly land; the greater part of it is bottom, running along just by the edge of a bog.

 6741. What

John Corry.
1 May 1837.

6741. What is the highest value per acre, which, in your judgment, a solvent and responsible tenant could fairly afford to give for this land?—Not more than 1*l.* 1*s.*; that, I think, would be a very high value for it.

6742. You know this district, do you?—Yes, I do.

6743. We have understood that the voter said at the registry that land convenient to him, or in his neighbourhood, was let at 2*l.* 2*s.* an acre; do you happen to know what land that is he spoke of?—I do not think any land in it is worth any such money; the best acre of land in it I do not think is worth that money.

6744. Pray how many acres are there in that?—It is a very large district; it is nearly the whole part of the county.

Cross-examined by Mr. *Robinson.*

6745. Did you go over this farm for the purpose of making a valuation?—I did.

6746. In February?—Yes.

6747. Do you live also eight or nine miles from this farm?—I do.

6748. How many thousand acres are there in this district?—I cannot tell you.

6749. A good number?—A great number indeed.

6750. Do you know the rent of all those acres of land?—I do not; I only know what I laid on myself, what I thought was a fair value.

6751. There is a house and stables on this land?—There is a cabin; it is a very poor house.

6752. There are no offices attached to it?—I observed no offices at all.

6753. You did not observe any stables?—I did not.

6754. You merely took a general kind of view of it?—I took a pretty good view of it.

6755. Whatever view it was, you did not see the stables?—I did not; the brother went with me into the house, and admitted the land was too dear.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Robinson.*

Thomas Bracken.

6756. DO you know the land of Thomas Chapman, of St. Alban's?—I do.

6757. Did you go over it for the purpose of making a valuation?—I did.

6758. Did you observe any stables there?—No.

6759. Are there any offices?—No; it is all a long house that was used as a dwelling-house.

6760. What is the value per acre of that land; what would a tenant be able to give for it by the acre?—There is a commonage attached to it that would make it something more valuable than if it was not.

6761. What should you think it is worth, taking it altogether?—I think about 32*s.* 6*d.*, taking it as it stands.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Thomas Chapman be struck off the poll."

Mr. *Whitesides.*] The next is John Chapman; 7 in the list, 45 on the poll.

Mr. *John V. Crawford,* called.

Mr. *J. V. Crawford.*

6762. Mr. *Whitesides.*] DO you produce the certificate of John Chapman?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 4th day of April, in the year of our Lord 1836, I, John Chapman, of Saint Alban's, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein arising from houses and land of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Saint Alban's, in the barony of Rathcline,

Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 30th day of April in the year 1827; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God. 1 May 1837.

John Chapman.

Sworn and subscribed before me, in open Court,
this 4th day of April 1836,

F. Lindesay, Acting Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Chapman, of Saint Alban's, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Saint Alban's, in the barony of Rathcline, in this county.

Dated this 4th day of April 1836, at Ballymahon.

F. Lindesay, Acting Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No, 1,598

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

6763. WERE you present when John Chapman came up to be registered?—Yes.

6764. Was he objected to on the ground of value?—Yes.

6765. What was the number of acres he swore out of?—He produced a lease of "21 acres, 2 roods, 30 perches; rent 30*l.* 17*s.* 8*d.* an acre; there is about half an acre let to tenants; examined by the court as to what property he had above all taxes; swore it was worth 10*l.* a year; was rejected in April 1835; says, land convenient sets at 2*l.* per acre, and has built and improved in the last year. James Rowland was examined against the claim; knew the land; was often on it; considered it was worth 14*s.* an acre; pays 18*s.* himself, but his land better. Pat. Fallon was also examined; knows the land; considered it worth 21*s.* an acre; had land himself from Mr. White, but was ejected; admitted."

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides.*

John Corry.

6766. DID you serve a notice on John Chapman, of St. Alban's?—I did, personally.

6767. Did you value his land too?—I did.

6768. How is his estate situated with respect to Thomas Chapman's?—They both mere in each other; the land runs together.

6769. They lay side by side?—Exactly.

6770. Now what is the value you put upon this land per acre?—I put 1*l.* 5*s.* an acre upon it.

6771. Why do you give a larger value to this land than Thomas Chapman's?—There is a greater part upland; the farm is a good deal better than the other; there is a part of it bottoms, covered mostly with floods, at some parts about two acres or so; and the man admitted to me that the land was too dear.

6772. Mr. *Robinson.*] Was that after he voted?—It was when I was valuing it.

Mr. *Robinson* objected to any evidence being received of what the voter said.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Robinson* replied.

The *Committee* were of opinion that the evidence could not be received.

George Gardiner, re-called.

Examined by Mr. *Wrangham*.

George Gardiner. 1 May 1837.

6773. TAKING into account the circumstances you have mentioned, which makes a difference between this case and the last, in your judgment, is 1*l.* 5*s.* the highest rent a solvent and responsible tenant could fairly afford to give per acre? —I think so; I should be very sorry to give more.

Cross-examined by Mr. *Robinson*.

6774. Do you know this John Chapman?—I do.

6775. Should you call him a solvent tenant?—Indeed I would not.

6776. Why do you not call him a solvent tenant?—Because I think it is impossible he could pay it.

6777. Do you know whether he pays it or not?—I can only say, from the appearance of the place, it shows great poverty.

6778. When did you first know the rent that Thomas Chapman paid?—I never knew the rent he paid.

6779. Do not you now know it?—I do not know the rent he pays.

6780. Do you know the rent which Thomas Chapman pays?—I do not.

6781. You do not know the rent which either of them pays?—No. I do not.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* stated he should not trouble the Committee with any evidence on this vote.

The *Committee* came to the following resolution:—

"That the vote of John Chapman be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Thomas Daly; 13 on the list, 110 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. *J. V. Crawford.*

6782. DO you produce the affidavit of Thomas Daly?—I do.

[*The following Document was then put:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter sessions of the peace holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835, I, Thomas Daly, of Carrawstrawly, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and lands of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Carrawstrawly, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rentcharge, and that the same arises by virtue of the deed, lease or instrument bearing date the 30th day of April, in the year 1827; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Thomas ✕ *Daly.*
mark.

Sworn and subscribed before me, in open Court, this 6th day of April 1835.
Geo. French, Assistant Barrister.

Truly read by me, *Jn° Costell.*

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Daly, of Carrawstrawly, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Carrawstrawly, barony of Rathcline, in this county.

Dated this 6th day of April 1835, at Ballymahon.

Geo. French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1,475.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

1 May 1837.

6783. HAVE you an entry of Thomas Daly in your book?—I have.

6784. Were you present when he came up to be registered?—I was.

6785. When was that?—In April 1835.

6786. Was he objected to on the ground of value?—Yes, he was.

6787. Just read your note?—Thomas Daly produced the lease of 25 acres 3 roods 30 perches Irish measure, rent 19*l.* 1*s.* 3*d.*; he says that it is worth 10*l.* a year, profit allowed.

6788. How much is that per acre?—One pound four shillings an acre.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides*.

John Corry.

6789. DID you serve a notice on Thomas Daly, of the barony of Rathcline?—I served a notice in his house on his wife.

6790. Did you value this farm?—Yes, I did.

6791. Is that in the same country as the two last voters that you have given evidence as to?—The same district of country.

6792. Is it better or worse land?—It is rather worse land than the last.

6793. Is there a house on it?—A cabin.

6794. Any offices?—I saw no offices.

6795. What is the highest value, including the house, that you put upon the farm, which a solvent tenant could afford to pay for it?—One pound four shillings an acre; the land is of a very bad quality, eight or nine miles from a market-town, and no turbery attached to it.

6996. Mr. *Robinson.*] You know this man Thomas Daly?—I never knew him before I went to view it.

6797. Did you know his house?—I saw it that day.

6798. How did you know it?—It was pointed out to me.

6799. Who pointed it out to you?—Mr. Rawlins.

6800. Did you know it before?—I did not.

6801. Is that the only reason you have for knowing it to be the house?—That is the only reason.

6802. Tell us what you did when you went there?—I went into the house, and served the notice in that house, and his wife was in the house.

6803. What did you do with it?—I gave it in the house.

6804. You opened the door, and put it in the house?—I gave it to his wife.

6805. How do you know it was his wife; you were told so?—I will not say that; I understood it was his wife.

6806. How did you understand it was his wife; how did you understand it; who told you so?—I do not know the person who told me.

6807. What did you do with it; did you knock at the door?—I do not think I did.

6808. Did you merely put it in?—The door was open.

6809. And you gave it to some person that was there?—That is all.

6810. Did you say any thing at the time when you put it into the hands of the woman?—We always stated what it was.

6811. What did you say to this woman?—We always stated what was material.

6812. Have you any recollection of saying any thing to this woman?—I have not.

6813. *Committee.*] You did not say, Give this to your husband?—I do not think I did.

[*The Witness was ordered to withdraw.*]

James Rawlins, sworn.

Examined by Mr. *Whitesides*.

James Rawlins.

6814. YOU know the barony of Rathcline very well?—I know the parish and barony of Rathcline very well.

6815. Are you the sub-collector of the cess there?—Yes, I was, and am still.

6816. Do you know the house of Thomas Daly, of Carrawhawly?—Yes.

James Rawlins.

1 May 1837.

6817. That is in the barony of Rathcline?—Yes.

6818. Did you go with Corry on any occasion there?—I went and showed him the meerings of the land.

6819. Did you show him the house?—I did.

6820. Did you show him the right house?—There was no house on it but that one.

6821. You saw Corry go to that house on the farm?—I did.

6822. You went with him yourself?—I did.

6823. Mr. *Robinson.*] Did you see him give any paper to anybody there?—I saw him put a paper into the house.

6824. Are you sure you saw him do that?—I am; I saw him hand the paper into the house.

6825. That you swear?—I do.

6826. When was it?—I cannot tell the day of the month.

6827. Do you know what the paper was?—I know what it was; he showed it me.

6828. What was that paper?—I do not know what the name of it was, but it was one of those I saw him serve the rest of the gentlemen with.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Robinson.*

Thomas Bracken.

6829. DID you go and look at the land of Thomas Daly?—I did.

6830. In February?—No, it was in March.

6831. Did you value it?—I did.

6832. What do you say it is worth per acre?—As near as I can recollect, I think it is 27*s.*

6833. Do you mean English or Irish acres?—Irish acres.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:

"That the vote of Thomas Daly be struck off the poll."

Mr. *Whitesides.*] The next is Peter Clarke; 8 on the list, 66 on the poll.

Mr. *John V. Crawford* called.

Mr. *J. V. Crawford.*

6834. Mr. *Whitesides.*] DO you produce the affidavit of registry of Peter Clarke?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a general quarter session of the peace holden at Ballymahon, in and for the county of Longford, on the 4th day of April in the year of our Lord 1836, I, Peter Clarke, of Fortwilliam, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Fortwilliam, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 29th day of November in the year 1831; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Peter Clarke.

Sworn and subscribed before me,
this 4th day of April 1836
F. Lindesey, Assistant Barrister.

ENTRY

ENTRY of CERTIFICATE of REGISTRY. 1 May 1837.

County of Longford.

THIS is to certify, That Peter Clarke, of Fortwilliam, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Fortwilliam, in the barony of Rathcline, in this county.

Dated this 4th day of April 1836, at Ballymahon.

F. Lindesey, Acting Assistant Barrister.

Certificate No. 1,608. *John V. Crawford*, Clerk of the Peace.

Mr. *George Gardiner*, called.

Re-examined by Mr. *Whitesides*.

George Gardiner.

6835. WAS you present when Peter Clarke was registered in April 1836?—Yes.

6836. Was he objected to on the ground of value?—He was.

6837. What number of acres did he swear he had, and what rent did he swear he paid?—He produced a lease of 15 acres Irish, rent 6 *l.* 9 *s.* 3 *d.*

6838. Mr. *Robinson.*] Any perches?—No.

6839. Are you sure of that?—I am.

6840. Have you any thing more in that memorandum?—The lease was dated in 1831; swore they were Irish acres, and that he saw the lease executed; that he would get 12 *l.* a year profit from a solvent tenant.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides*.

John Corry.

6841. DID you serve a notice to produce on Peter Clarke, of Fortwilliam, in the barony of Rathcline?—I did.

6842. When did you serve it?—Sixteenth February.

6843. Is not this man's farm in the same barony as the farm of the last two or three men?—It is in the same barony, but in another district.

6844. I was going to ask you what sort of land it is?—A great deal worse.

6845. Describe to the Committee the kind of land this man's holding is?—I think in this holding there are from eight to ten acres of complete rock.

6846. What kind is the rest of it?—The remainder of it is a gravelly land, covered with running stones, and covered over with small stones; a complete gravel, with not the least appearance of grass.

6847. Is there any pasture land; good pasture or meadow?—I suppose 20 acres of it would not feed a beast.

6848. What rent would you put on that land you have spoken of; what is the highest rent a solvent tenant would pay?—I think 7 *s.* 6 *d.* an acre would be a very high rent.

Cross-examined by Mr. *Robinson*.

6849. How much time did you spend on this place?—I spent some time on it.

6850. Looking at these running stones?—As for stones, there are plenty of them.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Robinson*.

Thomas Bracken.

6851. DO you know Peter Clarke's land, at Fort William?—I do.

6852. Did you value it?—I did.

6853. When?—In February.

6854. Is there a dwelling-house on it?—There is.

6855. Taking it good and bad together, what do you say it is worth by the the acre?—One pound three shillings.

6856. Can you tell us has he any stock on the land?—He has, and I will tell you what stock there is on it.

6857. Is there not a good deal of land that is fit for rearing cattle, that would not be fit for fattening cattle?—No.

 6858. Would

Thomas Bracken.

1 May 1837.

6858. Would it do for rearing young cattle?—Yes, for rearing sheep.

6859. I understand you to say there was stock on the land?—Yes, there was stock.

6860. Would it be fit for sheep?—Yes, more than any thing else.

Cross-examined by Mr. *Wrangham.*

6861. You say it is more fit for sheep than any thing else?—Yes.

6862. Would it not be better for goats?—I am not acquainted with the sort of grass fit for goats.

6863. Is there not a great deal of rock there?—There is a part of it that has rock.

6864. My friend has asked you about the stock; what is the stock you saw there?—Sheep.

6865. How many?—I think about a score.

6866. What kind of sheep were they?—Some lambs and some hoggarts, and, I think, some ewes with lamb.

6867. What kind and class of sheep; are they mountain sheep?—No.

6868. Fine fat large sheep?—No, a different sort entirely.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

That the vote of Peter Clarke be struck off the poll."

Mr. *Whitesides.*] The next is Charles Walker; — on the list, 55 on the poll.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

6869. Mr. *Whitesides.*] DO you produce the affidavit of Charles Walker?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Charles Walker, of Balanahinet, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Balanahinet, and barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of May in the year 1817; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court, this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

his
Charles ⋈ *Walker.*
mark.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Charles Walker, of Balanahinet, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Balanahinet, and barony of Rathcline, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1072.

Pd. Mr. *Maguer.*

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

1 May 1837.

6870. WERE you present at the registry when Charles Walker came to be registered?—I was.

6871. Was he objected to on the ground of value?—He was.

6872. What number of acres did he swear out of?—He held 19 acres 30 perches.

6873. At how much rent per acre?—Eight shillings and sixpence per acre.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham*.

John Corry.

6874. DID you serve a notice on Charles Walker, of Balanahinet in the barony of Rathcline?—I did.

6875. When?—On the 14th of February.

6876. Did you also value the farm?—I did.

6877. What description of land is it?—It is a very bad description of land; it runs by the Shannon; it is a barren shore, covered with stone and gravel.

6878. What sort of house or cabin is it?—It is a wretched cabin.

6879. What is the highest value you can put on that an acre, as the rent which a solvent tenant could pay for it and live?—Well, it is of that description of land, it would take 10 or 15 acres of it to feed a beast; it certainly would not give a ton of hay out of the 10 acres.

6880. What value do you put on it?—From 7*s.* to 10*s.* an acre.

Cross-examined by Mr. *Robinson*.

6881. Do you know Charles Walker?—I do very well.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham*.] That is my case.

Thomas Bracken, called.

Examined by Mr. *Robinson*.

Thomas Bracken.

6882. DO you know Charles Walker's farm, of Balanahinet?—I do.

6883. When did you value his farm?—In February.

6884. What do you say it is worth per acre?—I think it would be fairly set at 1*l.* or 1*l.* 1*s.* an acre.

6885. What is it fit for?—It can be all tilled, except three roods or an acre of it.

6886. Do you think a solvent tenant would be able to give that for it?—I do.

Cross-examined by Mr. *Wrangham*.

6887. Is it tilled?—Part of it.

6888. Is it not on the shore of the Shannon?—It is.

6889. *Committee.*] What sort of a house is upon it?—It is a bad house.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Charles Walker be struck off the poll."

Martis, 2° *die Maii*, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Whitesides.*] The next vote is that of Peter Martin; 34 on the petitioner's list, and 111 on the second day's poll.

Mr. *John V. Crawford*, sworn.

Mr. J. V. Crawford.

2 May 1837.

Examined by Mr. *Wrangham*.

6890. DO you produce the affidavit of registry of Peter Martin?—I do.

2 May 1837.

[*The following document was then put in :*]

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a general quarter sessions of the peace holden at Ballymahon in and for the county of Longford, on the 4th day of April in the year of our Lord 1836, I, Peter Martin, of Lehery, in the county of Longford, do swear that I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or parliamentary taxes, county, parish or church cesses or rates, and cesses on any town-land or division of any parish or barony lying and being at Blenavoher, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 30th day of April in the year 1827, and that I am in the actual occupation thereof by tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them, nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Peter Martin.

Sworn and subscribed before me, in open Court,
this 4th day of April 1836.

F. Lindesay, Acting Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Peter Martin, of Lehery, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.* situate at Blenavoher, in the barony of Rathcline, in this county.

Dated this 4th day of April 1836, at Ballymahon.

F. Lindesay, Acting Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1,605.

George Gardiner, sworn.

Examined by Mr. *Wrangham*.

George Gardiner.

6891. WERE you present at the registry when Peter Martin came up to register?—I was.

6892. Was he objected to on the ground of value?—He was.

6893. What number of acres did he swear he registered out of?—He produced a lease of 18 acres 1 rood.

6894. At what rent?—Rent 10*l.* 2*s.* 2*d.*; 11*s.* 1*d.* per acre.

[*The witness was ordered to withdraw.*]

John Corry, sworn.

Examined by Mr. *Wrangham*.

John Corry.

6895. DID you serve a notice on Peter Martin of Lehery?—I did.

6896. Is that in the barony of Rathcline, with which we were dealing yesterday?—It is.

6897. When did you serve the notice?—On the 18th of February.

6898. For the 28th?—Yes, it was.

6899. Did you also value his holding?—I did.

6900. Was there any one with you?—Mr. Wilson was with me.

6901. The gentleman who had been in the room, and could not be examined?—Yes.

6902. What is the highest rent per acre which a solvent and responsible tenant could, in your judgment, give in the shape of rent for that holding?—From the bad description of land, and being partly covered with furze, I think not higher than 15*s.* an acre.

6903. Do

6903. Do you think that is the highest rent at which it can fairly be let?—I consider that a very high rent.

6904. *Committee.*] How much of it is covered with furze?—There is a great part of it covered with furze; it is scattered over it.

6905. Is it a plantation?—Not at all; it is furze and whins.

6906. Mr. *Wrangham.*] How much of it is covered with furze; will you tell the Committee whether this is general over the farm, or whether it is confined to some particular portions of it?—It is not general over the farm.

6907. How many acres are there of it, do you think?—I suppose there may be one or two acres, or perhaps more.

6908. Then with respect to the quality of the rest of the land, besides that one or two acres, of what description is it?—It is a light, bad description of land altogether.

6909. Mr. *Robinson.*] Show me that note, will you?—I will—[*handing it to the learned counsel.*]

6910. That note was made by you at the time?—It was.

6911. Mr. *Wrangham.*] Is this farm in that district of the Callows we heard of yesterday?—It is.

6912. Is that of the same sort of rocky stony land?—It is just the same description very nearly as the other, but it is not so bad as the upper rock.

Cross-examined by Mr. *Robinson.*

6913. Whom did you give that notice to?—To Peter Martin.

6914. Did you know him?—I did not know him before that day.

6915. Where did you see him?—In his own place.

6916. Did you know him since?—I do not think I would know him.

6917. Who told you it was Peter Martin's land?—James Rawlins.

6918. My friend asked you whether this is as bad as the rest of the district, as the Callows; do you know how many thousand acres this district contains?—I do not know that.

6919. Is it not a large district?—Yes, it is a very large district.

6920. Is it all covered with furze?—No, it is not; some of it is pretty good land.

6921. Tell me how the rest of this land of Peter Martin's is occupied, which is not covered with furze?—It is a poor, worn-out land, spewy and wet, and is of a very bad description.

6922. When you visited, it was very wet spewy kind of weather, a very wet day?—It was.

6923. How long did you know the farm?—I never knew it before.

6924. How long might you have been there at that time?—I cannot exactly say.

6925. It did not take long to value it, according to your description?—We oftentimes took a good deal.

6926. You do not recollect how long you were on this farm?—I do not know.

6927. What does he do with the rest of his land; what does he seem to do with it?—He appeared to crop it with oats.

6928. Did you see any oats there when you were there in February?—No; I know by the stubble and the appearance of the land.

6929. By the appearance of the land it was fit for oats; is that what you mean?—Yes.

Re-examined by Mr. *Wrangham.*

6930. THERE is a part of it fit for oats?—Very little.

6931. About as much oats as furze?—Yes.

6932. You say you did not know this particular farm before?—No, I did not.

6933. You told the Committee yesterday you were well acquainted with this particular district of the Callows?—Yes, some part of it.

Examined by the *Committee.*

6934. WHAT is your business generally; what are you?—I am a farmer.

6935. Do you hold much land?—Not a great deal in my own possession.

John Corry.

2 May 1837.

6936. How long have you been such a general valuer of land?—I never was such a general valuer of land at all.

6937. You are brought up here in every case to give a value; I say a general valuer; how long have you been in that character?—Never before a general valuer.

6938. You know the value of land?—I do pretty well.

6939. Would you give 1*l.* an acre for this land?—I would not.

6940. Have you any land of this quality?—No; I would not take it at any price; I would rather have one acre of good land than three acres of it.

6941. Mr. *Robinson.*] Have you any recollection how much was in oat stubble that you spoke of?—I do not know.

6942. *Committee.*] Have you any note in your book about it?—I have a small note about it.

6943. You say it is nine miles from a market?—I think it is, and it is very inconvenient I consider altogether.

6944. Have they good roads or bad roads?—Very bad roads.

6945. Mr. *Robinson.*] You described this as a second class of land; it is not the worst class of land?—No, it is not; there is a worse class of land than this.

6946. *Committee.*] Do you mean a second class in this district?—A second class in this district.

6947. And the class which is worse than this you estimated at 7*s.* 6*d.* an acre?—Yes, I did.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, sworn.

Examined by Mr. *Robinson.*

Thomas Bracken.

6948. ARE you acquainted with the land of Peter Martin?—I have seen it.

6949. When did you see it?—In the month of March.

6950. Did you see it for the purpose of valuing it?—I did.

6951. Did you go over it carefully?—I did.

6952. We are told there is some furze there growing on it?—There is.

6953. How much do you say it is worth, taking the good and bad together?—Taking the house that is on it into consideration, it will set at 25*s.* 6*d.* an acre with the house.

6954. The house is one of these bad places, is it?—No, it is built of lime and stone, with the use of a barn.

6955. Is it such a house as the occupier of that kind of land would want?—He does not live on that land; he lives with his mother on another farm.

6956. If he did live there, is it the sort of house which a person occupying that land would want?—No, I think he would have a better house.

5957. With the house, you think it is worth what you have stated, 25*s.* 6*d.* an acre?—I do.

6958. Would a solvent tenant be able to give that for it?—I think it would be a great bargain at that.

6959. Do you know whether it is an old lease, or was it a new lease he held under?—I cannot say.

Cross-examined by Mr. *Wrangham.*

6960. What are you; how do you live?—I support myself by farming, and I am a miller.

6961. How long have you been a general valuer of land?—What do you call a general valuer of land?

6962. Valuing, as you do, such a number of farms?—I never was in the habit of valuing land before this time.

6963. I mean going and valuing a number of farms in this way; you never did so much business in this general way before this time?—No, never.

6964. You say this house is built of stone; there is a great deal of stone on the ground for building houses, is there not?—Not on that farm, but in the neighbourhood there is plenty.

6965. Therefore stone is the most convenient material with which to build a house there?—It is.

6966. I understand

Thomas Bracken.
2 May 1837.

6966. I understand you to say, if a tenant were to live on the farm, he would have a better house than this?—Certainly, I think he would.

6967. Mr. *Wrangham.*] How long has this man been on the farm; about how long?—I think his father is dead four or five years.

6968. Did his father live there before?—His father held it in his hands for a number of years.

6969. *Committee.*] Do you know whether there is a lease of this farm?—I have seen a lease; it was produced to me by the tenant.

[*The Witness was ordered to withdraw.*]

The committee-room was then cleared; and on counsel and agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Peter Martin be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Daniel Cunningham; 3 on the list, 53 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

Mr. J. V. Crawford.

6970. Do you produce the affidavit of Daniel Cunningham?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds.

AT a civil bill court held at a general quarter session of the peace holden at Ballymahon, in and for the county of Longford, on the 11th day of January in the year of our Lord 1831, I, Daniel Cunningham, of Blenavoher, in the county of Longford, do swear, That I am a freeholder in the county of Longford, and that I have a freehold therein, arising from a house and land, of the clear yearly value of 10*l.* above all charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Blenavoher, in the barony of Rathcline, in this county; and that a solvent and responsible tenant could, as I verily believe, afford to pay for the same, as an additional rent, fairly and without collusion, the annual sum of 10*l.* over and above all rent to which I am liable in respect thereof, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease and instrument which I now produce, bearing date the 30th day of October in the year 1829; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the said freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it, and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, and that I do not hold my said freehold by virtue of any lease, deed or other instrument executed or made after the 1st day of July 1823 to any person or persons jointly, in common, or in partnership. So help me God.

Daniel Cunningham.

Sworn and subscribed before me, in open Court,
this 11th day of January 1831.

Geo. French, Assistant Barrister.

THIS is to certify, That Daniel Cunningham, of Blenavoher, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Blenavoher, barony of Rathcline, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate No. 248. *John V. Crawford,* Clerk of the Peace.

Arthur A. Griffiths, sworn.

Examined by Mr. *Whitesides.*

A. A. Griffiths.

6971. WAS you present when one Daniel Cunningham came up to be registered?—I was.

6972. Was an objection taken to his registration on the ground of undervalue?—There was.

A. A. Griffiths.
2 May 1837.

6973. Will you state what quantity of land he registered out of, and what rent he swore he paid?—He swore he had 15 acres of land, and paid 15*l.* a year for it.

6974. Did he swear where he had it?—He said it was Tenavon in Rathcline.

Cross-examined by Mr. *Robinson.*

6975. Were any witnesses examined as to value?—There were.

6976. Of what registration is this you are speaking?—November 1832.

6977. Mr. *Wrangham.*] The Reform registry, is it not?—Yes.

6978. Mr. *Robinson.*] Is that your own note?—It is the note of my own clerk taken in my presence, and that clerk has left the country.

6979. When did you first see that?—The day it was made.

6980. Were you present at the time of the opposition?—Yes.

6981. And heard this?—I did.

6982. *Committee.*] Was there any mention about a lease?—He produced a lease.

6983. For what term of years?—It was a freehold lease for lives.

6984. Mr. *Robinson.*] Were there not two barristers sitting at that time?—There were.

6985. Were you present in both places?—I was present in this place at this time.

6986. What makes you certain that you were present at the place where Daniel Cunningham was registered?—It was the last day of Mr. Doherty's registry, and I was there the whole day, except for a few minutes.

6987. Where were you, do you say?—I was in Mr. Doherty's court.

6988. It is very odd this certificate is of Mr. Fosbery; you say during the whole day you were in the room where Mr. Doherty was registering?—I was.

6989. And you were there the whole day, except for a few minutes?—I was there while every man was under investigation; I was sometimes called into the other court, and during that time Gardiner stopped.

6990. You say you must have been present on the last day when this vote was discussed, because you were present the whole day?—If you will allow me, I will explain it; Mr. Doherty was not willing to admit him, and then he went into the other court on an old certificate, and got himself registered.

6991. Do you mean to say you went with him before Mr. Fosbery?—No, I did not.

6992. How do you know what took place before Mr. Fosbery?—Because we found it out.

6993. Were you there?—I was not.

6994. Were you present before Mr. Fosbery when any discussion took place as to this person's value?—I was not, because Mr. Fosbery could not investigate the value when he brought an old certificate.

6995. You was not present, and therefore you do not know what it is that took place before Mr. Fosbery?—I was not there.

6996. *Committee.*] Was you in Mr. Doherty's court when he came up?—I was.

6997. And did you oppose him?—I did.

6998. Did Mr. Doherty then admit him or refuse him?—He ordered it to stand over.

6999. These are facts which you know?—Yes, we produced a witness.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* then submitted that sufficient evidence had not been laid before the Committee to prove that an objection had been taken to this voter before the registering barrister.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Robinson* replied.

The *Committee* were of opinion that the objection before the barrister had been sufficiently proved.

John Corry, called.

Examined by Mr. *Whitesides.*

John Corry.

7000. DID you serve a notice to produce on Daniel Cunningham, of the barony of Rathcline?—I did.

7001. How did you serve it?—I served it personally.

7002. When

John Corry.

2 May 1837.

7002. When you went to serve that notice, did you value his farm?—I did.

7003. Will you state to the Committee what description of land that farm is composed of?—It is a very bad description of land; it is rather of the two a worse description than the last; they both meer into each other.

7004. It adjoins the last farm in the same barony, the Callows country?—Yes.

7005. What value do you put on the land, including the house and every thing on it, if there is a house?—There is a house on it.

7006. What kind of house is there on it?—It is rather a better description of house than on other farms.

7007. What would it cost to build such a house?—Any kind of house in that country could be built, the best farmer's house in that country could be built for 5*l.*; the materials are in plenty.

7008. What is the best rent that you swear for that land in that place a solvent tenant could afford to pay?—I put 15*s.* on it.

7009. Do you think any tenant could pay more than that?—I think that is the full value for it, according to my judgment.

7010. *Committee.*] Do you know what he pays at present?—I do not.

7011. Mr. *Wrangham.*] Then I understand you the land is worse than the last man's, and the house better?—It is.

Cross-examined by Mr. *Robinson.*

7012. You do not know that in point of fact this man pays double the rent of the last tenant?—I do not know what he pays.

7013. This very bad land, is that fit for grazing?—Very little.

7014. Is it fit for sheep?—Very little.

7015. How long have you known this land?—I might have seen it before this day, but I never knew it until that time.

7016. How long was you there at that time?—I was a good while on it, in the house and on the land.

7017. Is it all much the same sort of land?—It is nearly the same.

7018. What sort is it?—It is a light, gravelly land, partly covered with whins and rock.

7019. Do you know how much land there is?—I do not know the complement of land.

7020. You cannot say how much?—I cannot.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, sworn.

Thomas Bracken.

Examined by Mr. *Robinson.*

7021. DID you examine the land of Daniel Cunningham?—I did.

7022. Have you any note there you made at the time?—I have; he holds 21 acres 2 roods and 35 perches at 12*l.* 8*s.* 7*d.*

7023. Is that English or Irish acres?—Plantation acres.

7024. Irish?—Yes, Irish acres.

7025. What do you say it is worth by the acre?—Without the house I valued it at 23*s.* per acre; the house that is on it is, I think, very good; the house is worth 3*s.* added to the land.

7026. You would put it at 1*l.* 6*s.*, then, with the house?—I would.

7027. What sort of house do you say it is?—A good house built with lime and sand, and good offices; he keeps a country shop.

7028. Is the land near to Peter Martin's?—It is.

7029. Is the house a better one than Martin's?—His stable is as good as Martin's house.

7030. Then the house, I suppose, is better than the stable?—It is a superior house for a man of his class to live in; if he has not a good freehold, there is not one in the place.

7031. Did you see any sheep on the land?—I did.

7032. Have you known this place long?—I know it about 10 years.

7033. Has Cunningham lived there all that time?—I think he was born on that spot.

7034. Did his father live there before them?—Yes, I think so.

7035. Do you know whether Cunningham has voted for this land before?—I cannot say.

Thomas Bracken.

2 May 1837.

7036. You have never seen him?—I have seen him at the election, but I cannot take on myself to say whether he has voted.

7037. *Committee.*] What would such a house as that cost building?—I think that he could not build all that is there; if he were to buy the materials in the market, he could not put it up for less than 40*l.*

7038. Has this house that you speak of rooms above, or is it a ground floor?—A ground floor; the wall is about eight feet.

7039. Is there any timber used in the house?—It could not be roofed without timber.

7040. Is it thatched or slated?—Thatched.

7041. Is there stone or lime in it?—It is stone, and of a better description of stone.

Cross-examined by Mr. *Wrangham.*

7042. There is a good deal of stone in that country?—Plenty.

7043. Of such stone as this, of which the house is built?—Yes, plenty.

7044. Can you tell us the quantity of acres and the rent; do you know that, of your own knowledge, to be the quantity of acres and the rent?—I took it from the lease.

7045. What is the date of the lease?—I think it was about the year 1825.

7046. Do you know?—I took no note of it, but I think that is the date.

7047. You cannot take on yourself to say that was the time?—Positively I cannot.

7048. Are you aware the man registered himself out of 15 acres?—I think he could not do that.

7049. Then if the voter has sworn at the registry that he registered out of 15 acres, that would be a different one from the one you saw?—The lease I saw was the lease he registered out of, because I saw the mark of the clerk of the peace on the back.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Daniel Cunningham be struck off the poll."

Mr. *Wrangham.*] The next is Michael Hunt; 25 on the poll, 30 on the list.

Mr. *John V. Crawford* called.

Mr. *J. V. Crawford.*

7050. Mr. *Wrangham.*] DO you produce the affidavit of Michael Hunt?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 4th day of April, in the year of our Lord 1836, I, Michael Hunt, of Aughaloughen, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges arising out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Aughaloughen, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 30th day of April in the year 1827 and 13th March 1835; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Michael Hunt.

Sworn and subscribed before me, in open Court,
this 4th day of April 1836, *F. Lindesey,* Acting Assistant Barrister.

ENTRY of CERTIFICATE OF REGISTRY.

County of Longford.

THIS is to certify, That Michael Hunt of Aughaloughen, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.* situate at Aughaloughen, barony of Rathcline, in this county.

Dated this 4th day of April 1835, at Ballymahon.

F. Lindesey, Assistant Barrister.

Certificate No. 1,602. *John V. Crawford,* Clerk of the Peace.

George

George Gardiner, called.

George Gardiner.

Examined by Mr. *Wrangham.*

2 May 1837.

7051. WERE you present when Michael Hunt, of the barony of Rathcline, came up to be registered?—I was.

7052. Was he objected to on the ground of value?—He was.

7053. What number of acres did he swear out of?—Seventeen acres two roods.

7054. What rent?—Sixteen pounds yearly; about eighteen shillings and fourpence an acre.

7055. Read the whole of the note?—The rent was 16*l.* a year, paid a fine of 21*l.* 10*s.*; says that land adjoining it sets at 34*s.* 1½*d.* per acre, admitted.

7056. That was what the voter swore?—Yes.

Cross-examined by Mr. *Austin.*

7057. Who were the witnesses who opposed him?—Counsel.

7058. Have you a note of the lease, what term it was?—No, I have not.

[*The Witness was ordered to withdraw.*]

John Corry, called.

John Corry.

Examined by Mr. *Wrangham.*

7059. DID you serve a notice on Michael Hunt, of Linghaloughen?—I did.

7060. That is the barony of Rathcline?—Yes.

7061. When was it you served it?—On the 16th February 1828.

7062. Did you value the land also?—I did.

7063. In what state is the land, and of what quality?—It is a very bad quality, and in a very poor state; it is nearly the same as the other description of land, a great part covered with whins.

7064. Nearly the same as Cunningham's land?—Yes, the land is of the same description.

7065. What part was covered with whins?—The upland.

7066. One acre or two acres, or how much?—I cannot exactly say how much of it.

7067. I wish you would mention what part is covered with whins?—It is dotted through a great part of different fields.

7068. Do you mean the greater part of it?—Not the greater part of it; the smaller part of it.

7069. Is it a fourth or a third, or what portion of it, that is dotted?—I do not think a fourth is; it may be dotted through it, but not covered with it.

7070. Do you mean the whole of it is dotted and covered with whins, or only a small portion of it?—A great part is dotted with whins, but not covered.

7071. What is the highest value per acre which in your judgment a solvent and respectable tenant could fairly afford to give, in the shape of rent, for this land?—From the wretched appearance in which I saw the cabin and altogether, I think 15*s.* an acre would be a very high value; it appeared to be in a very impoverished state.

7072. I think you told me you knew this district of Callows particularly?—I know this part particularly well.

7073. Did you ever hear of land in that district let for 1*l.* 11*s.* 6*d.* an acre?—I have heard of some land let for that.

7074. Is it near this?—No.

7075. Is there any land near this let, to your knowledge, at three half guineas an acre?—I do not think there is.

Cross-examined by Mr. *Austin.*

7076. Will you undertake to swear there is no land adjoining it worth 34*s.* an acre?—I do not think there is, of my own knowledge.

7077. Will you take to swear it?—I would swear there is no holding near that worth 30*s.* an acre.

7078. Within what distance will you take upon yourself to swear that there is no land worth 30*s.* an acre?—Not nearer than a half a mile of it.

7079. Will you swear that?—I will swear, to the best of my recollection, there is none nearer than half a mile.

John Corry.

2 May 1837.

7080. Will you undertake to pledge your oath that within half a mile there is no land worth 30 *s.* an acre?—To the best of my belief there is not.

7081. You will not swear it?—I will not swear it positively.

7082. Did you ever see this land before you went to value it?—I might have seen it, but I did not know it before.

7083. Did you know the adjoining land before?—I did not.

7084. Did you value all the adjoining land within half a mile?—Part of it.

7085. Did you value the whole within half a mile?—I do not think I did.

7086. Did you or did you not?—I think not the whole of it; whatever I thought was a bad freehold, I valued; any that I did not, I did not mind.

7087. Is it not this that you valued, within half a mile of this man's place, those lands which you thought were bad freeholds?—I do not think there is any within half a mile that I did not value.

7088. Do you mean to swear that you valued every one within half a mile?—To the best of my knowledge I did.

7089. Give us a positive answer or not; did you value the whole within half a mile?—I will give you the best of my opinion; I cannot swear positively.

7090. And you did not know the adjoining lands till the day you saw this?—I did not.

7091. You think 15 *s.* an acre is the highest price?—The highest price I think it can be worth is that.

7092. So I see you state here, "No respectable person, solvent tenant, pays 15 *s.* 14th February. Notice served personally." If you are of opinion that 15 *s.* is the proper value for that land, what should you say to a man who paid 21 *l.* fine on taking the land, and 18 *s.* 4 *d.* rent?—He might pay it, but I know from the appearance of the place I would not take him to be worth 10 *l.*

7093. That is no answer at all; you are pledging yourself on your oath to an opinion as to the value of this land; then, in your opinion, you would not pay a fine, and pay 15 *s.*?—I would be very sorry to do it.

7094. You say 15 *s.* an acre?—I think it a fair value at that, taking it altogether.

7095. The only time you have been on this land is to value it for the purpose of this vote?—That is all.

7096. A voting value?—Yes.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called in.

Examined by Mr. *Austin*.

Thomas Bracken.

7097. DO you know Michael Hunt's occupation?—I know his farm.

7098. Have you valued it?—I have.

7099. When?—The day I valued Cunningham's.

7100. Now what, in your opinion, could a respectable person like the last witness afford to pay for that land per acre?—That land is of a much better quality than Cunningham's or the other's; I valued it, when on the land, 34 *s.* an acre.

7101. Mr. *Wrangham.*] Is the land in a very good state?—It is.

7102. House very good?—No, the house is not good.

7103. No furze on it, is there?—There is.

7104. A good deal, is there not?—Yes, some.

7105. *Committee.*] You think this is much better than the others?—Yes, superior, a different kind of land.

7106. Then you think the others were not very good?—They were good in their way.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Michael Hunt be retained on the poll."

Mr. *Wrangham.*] The next is Charles Kennedy; 68 on the poll, 31 on the list.

Mr. *John V. Crawford*, called.

Mr *J. V. Crawford.*

7107. Mr. *Wrangham.*] DO you produce the affidavit of Charles Kennedy?—I do.

The following document was then put in:—

£. 10 Freehold. County. By Deed.

2 May 1837.

OATH of a FREEEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Charles Kennedy, of Aughnacross, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Aughnacross, and barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of May in the year 1826; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court, this 22d day of October 1832, — *Charles* his ✕ mark *Kennedy.*

J. F. Fosbery, Deputy Assistant Barrister.

Truly read by me, *S. Nicolls.*

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Charles Kennedy of Aughnacross, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Aughnacross, and barony of Rathcline, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate No. 923. *John V. Crawford,* Clerk of the Peace.

19 December 1832.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

7108. WERE you present when Charles Kennedy came up to be registered?—I was.

7109. Was he objected to on the ground of value?—He was.

7110. Read your note?—Charles Kennedy produced a lease of eight acres two roods, rent 3*l.* 12*s.* 9*d.*, at 8*s.* 6*d.* per acre; James Kenny, sworn on behalf of the claimant; he would give 35*s.* an acre; pays 24*s.* an acre himself; Michael Rawlins, against the claimant, swore he would consider it dear at 20*s.*

Cross-examined by Mr. *Austin.*

7111. Look at that word, dear?—I will.

7112. Now look at that 20*s.*, they are not in the same ink?—I say they were written at the same time.

7113. Is that the same ink as the other?—I do not know, but I do believe it is.

7114. Do you mean to say that this 20*s.* and dear were written at the same time, and with the same ink?—I do.

7115. Be pleased to account for the apparent difference between the colour of the ink; can you see no difference?—I can.

7116. Do you mean to say you cannot see a difference in the ink between the word dear and the figure 20?—I think there is no difference.

7117. Do you set yourself upon that, that there is no difference between these inks?—I do not know whether it is the same or not.

7118. My question to you is this, looking at the figure 20 and the word dear, do you mean to state that there is no difference between the colour of the ink?—I do not know whether it is the same.

George Gardiner.

2 May 1837.

7119. Do you mean to say that any man who looked at the figure 20 and the word dear, could not see a difference in the colour of the ink?—I think there is no difference in the colour of the ink.

7120. You say there is no difference?—Not in my opinion.

7121. You say you think there is no difference in the colour of the ink; will you swear there has not been an erasure here, and something which has been written has been scratched out?—I never erased any thing.

7122. Do you mean to swear there has been no erasure?—I believe there was no erasure.

7123. Were you examined when Charles Kennedy's vote was considered before the last Committee?—No.

7124. You were not?—No; Charles Kennedy's vote was not examined before the Committee.

7125. Was Charles Kennedy's vote not considered by the last Committee?—Not to my knowledge; it was not.

7126. Were you here when the last Committee took place?—I was.

7127. Do you mean to swear that this man's vote was not considered before the last Committee?—Not to my knowledge.

7128. You will not undertake to swear it was not?—I think it was not.

7129. Will you swear that this vote was not considered by the last Committee?—I do not know that it was.

7130. Do you mean to say now that you do not know whether the vote of Charles Kennedy was considered by the last Committee; do you mean to say that?—I should know, if I saw the documents at the time, whether it was considered.

Re-examined by Mr. *Whitesides.*

7131. Did you, directly or indirectly, tamper with that book in any way, or forcify any thing in it?—No; not since I took this down in the court-house at Longford.

7132. *Committee.*] Do you mean to state you never made any erasure in this book?—Yes.

7133. Has this book been in your possession entirely?—It has not.

7134. Is this 20 in your own handwriting?—It is.

7135. Is the whole of this in your handwriting?—It is.

7136. Was it taken at the same time?—Yes, in the court-house at Longford.

7137. And you have made not the slightest alteration?—Not the slightest.

7138. You say it has been out of your custody?—Yes, nearly three years.

7139. Will you undertake to swear that during that period no alteration took place?—I will not.

7140. I understood you to say you were positive you wrote this at the time?—I did.

7141. Then you will undertake to say no erasure was made there, because, if you wrote it, you are positive no other person wrote it?—I am positive I wrote it.

7142. Do you recollect the circumstance of Kennedy coming up beyond what you see in the book?—I do.

7143. Do you recollect him swearing to the one pound?—I knew the circumstance and the man.

7144. Mr. *Whitesides.*] Do you know Rawlins?—I do very well.

7145. Mr. *Austin.*] Do you recollect, in all instances where the different witnesses came up against voters, what sums they swear to?—By examining my notes I do.

7146. Without the notes?—Without the notes I should not say positively.

7147. Mr. *Wrangham.*] Rawlins, the witness, is alive?—Yes.

[*The witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham.*

John Corry.

7148. DID you serve a notice to produce on Charles Kennedy?—I did.

7149. When did you serve it?—On the 14th of February.

7150. Do you know his farm?—I do very well.

7151. Is it in the barony of Rathcline?—It is.

7152. In the same district of country?—Yes.

7153. Did

John Corry.
2 May 1837.

7153. Did you examine his farm?—I did, I have known it this long time.
7154. Is there a house on it?—There is a very bad cabin on it; there is a very small cabin.
7155. What would it cost to build such a cabin now?—I think I could build one for 3*l.*
7156. What is the highest rent a solvent tenant could afford to pay for it by the acre?—I should not give more than 15*s.* for it.
7157. Do you believe a tenant could take it at that rent?—I believe it would be very high; a great part of it is bottom land, sour, bad bottom, covered with water generally.
7158. *Committee.*] Would you consider it dear at 1*l.* an acre?—I should consider it dear at 1*l.* an acre.
7159. Mr. *Austin*]—You valued the land of the last voter, Michael Hunt?—Yes, and it is nearly of the same quality, and of a similar description.
7160. Yo think it is as valuable as Michael Hunt's land?—I do, I think it is.
7161. You are of that opinion?—Yes, I am.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Thomas Bracken, called.

Examined by Mr. *Austin.*

Thomas Bracken.

7162. DO you know Charles Kennedy's land?—I do.
7163. In your opinion, is his land as good as Michael Hunt's?—It is not.
7164. What price did you put upon Michael Hunt's land per acre?—I think 34*s.*
7165. In your opinion what is the worth of Kennedy's land per acre?—I valued it at 34*s.*, including the commonage not attached to the land.
7166. What would you value it at without that commonage?—I think about 30*s.* an acre.
7167. And you valued Hunt's land at 34*s.*?—Yes.
7168. Now, taking the house and offices into consideration, what is it worth per acre?—The house is not a good one.
7169. Taking the house and offices into consideration, what is this worth per acre?—Taking the house and offices, I think the house would advance it but very little, I would say 1*s.* 6*d.* per acre; and that would be the outside; taking the whole into consideration, I think it would be worth about 31*s.* 6*d.* an acre.

Cross-examined by Mr. *Wrangham.*

7170. It is a very bad house?—It is worth 30*s.* a year.
7171. How much would it cost to build it?—About 5*l.*

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—
"That the vote of Charles Kennedy be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is the vote of Henry Green; 25 on the list, and 20 on the poll.

John V. Crawford, called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

7172. DO you produce the affidavit of registry of Henry Green?—I do.

[*The following Document was then handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835, I, Henry Green, of Elfeed, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and lands, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only

2 May 1837.

public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Elfeed, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 24th day of May, in the year 1833, and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Henry Green.

Sworn and subscribed before me, in open Court,
this 6th day of April 1835,
Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Henry Green, of Elfeed, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Elfeed, in the barony of Rathcline, in this county.

Dated this 6th day of April 1835, at Ballymahon.

Geo. French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1,483.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

7173. WERE you present when Henry Green came up to be registered, of the Barony of Rathcline?—I was.

7174. Was he objected to on the ground of value?—He was.

7175. What quantity did he swear out of, and what rent did he pay?—He produced a lease of 12 acres, 2 roods and 15 perches; rent 5*l.* 6*s.* 5*d.*; paid 8*s.* 6*d.* per acre, says he paid a fine in money and value.

7176. *Committee.*] What was the fine?—He did not state what the amount was, it was in money and value; the sum was not ascertained; I understand that value means some kind of goods; values it at 25*s.* an acre; holds from John Adamson, in co-partnership with his brother.

7177. Did he not state what he had given in value or money?—He did not state the sum.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham.*

John Corry.

7178. DID you serve a notice on Henry Green, of Elfeed?—Yes, I did.

7179. On what day?—The 14th of February.

7180. Did you also value his land?—I did; I have known that land this long time.

7181. And you valued it more particularly on that occasion?—I often was on it, and I knew it very well.

7182. What description of land is it, as you know it so well?—It is a very bad description; it lies near the Shannon, and that is of a rocky nature; it is a light, gravelly land.

7183. And rocky, you say?—Yes, a good deal of rock on it, and a good deal of whins too on it.

7184. This gravel you talk of, is it small gravel, or what?—It is all gravel under the surface, with a light surface over it.

7185. What is the house?—The house is of a better description than some more I have seen.

7186. What is it built of?—Built of stone; they can be at no loss for stone there.

7187. There is so much on the land?—Plenty on the land.

7188. How

John Corry.
2 May 1837.

7188. How long does it take to build a house there?—I think a mason or two would build a very good house of that kind in a fortnight.

7189. *Committee.*] How much do you value it at?—Taking the house into consideration, I would value it at 15*s.*

7190. That is including the house?—Yes.

7191. Do you think that is the utmost rent a tenant could fairly afford to give?—I do, if he was to pay his rent; I think it a very full value for it, and a very high value.

7192. Who is the landlord of this property?—It belongs to Lord Newcomen's sisters; there is a second landlord, of the name of Adamson.

7193. Do you know Adamson?—I do, very well.

7194. You say you have known this farm a long time?—Yes.

7195. Did you ever have a thought to take it yourself?—I had no thought of that kind, but I had a claim on it.

7196. Did you not make an application to Mr. Adamson for giving a lease of this freehold to you?—To get a rent-charge from him on this.

7197. Did you not try to get a lease from him?—I did not.

7198. You made no application of that sort?—Not for any lease.

7199. That house, you say, is better than most you have seen?—Yes, it is.

Cross-examined by Mr. *Wrangham.*

7200. You say you have a rent-charge on the land?—I have.

7201. Would that make you particularly careful in looking at the value, and ascertaining what it is worth?—I have known it this long time.

7202. *Committee.*] What do you value the house at?—There is no house on it worth 5*l.*; I could build a house of that description for 5*l.* or less.

7203. Have you built any house?—I have.

7204. What did that house cost building?—My house cost more than that.

7205. But a similar house to that which is on this land?—I have built a house and offices very much under that.

7206. Have you ever built a house of this description?—I have not built any of this description.

7207. Do you know of them being built?—Several.

7208. At 4*l.* or 5*l.*?—Yes, I have known them to build a better house under 5*l.*

7209. What are masons' wages in your part of the country?—From 1*s.* to 1*s.* 6*d.* a day.

7210. And it would take two masons a fortnight to build a house of this description?—It would, or rather less.

7211. The materials are on the ground?—Yes, the materials are on the ground.

7212. Is there timber on the ground, or only stone?—It is all stone; there is no timber on the land.

7213. Then how do they get it roofed?—These persons get timber mostly from their landlords, and they get it for nothing.

7214. What is the sort of timber that they use for their roofing?—Deal and firs, chiefly deal.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is our case.

Thomas Bracken, called.

Examined by Mr. *Austin.*

Thomas Bracken.

7215. DO you know Henry Green's farm?—I do.

7216. There are 12 acres and a half of it?—Yes.

7217. What, in your opinion, is the value of this land per acre?—I recollect it was 1*l.* 7*s.* per acre I valued it at.

7218. In your opinion is that a fair value for it?—I think a good tenant would pay that for it.

Cross-examined by Mr. *Wrangham.*

7219. Let me look at your book; pray what sort of land is this, where is it situated; is it by the Shannon?—It may be about one mile from the Shannon.

7220. Is it a good soil?—A tolerable kind of good soil.

7221. Is it not an intolerable bad kind of soil?—It is not bad in that parish.

Thomas Bracken.

2 May 1837.

7222. Do you mean to say the rest of the parish is worse?—Part of it.

7223. Therefore in that parish it is not considered bad land?—No.

7224. There are some whins on it, some furze?—There is.

7225. A good deal of stone, is there not, convenient to it?—I suppose you mean rock; there is stone on all the land, running stone.

7226. Is it rock, or what?—There is no rock on that land, save and except half an acre which I have got an account.

7227. You do not happen to know the tenant himself would not swear up to more than 1*l.* 5*s.*?—I do not know what he swore.

7228. Do you mean, that, according to your judgment, if this land was to be set, that it would set at 1*l.* 12*s.* per acre?—Yes.

7229. That is your deliberate judgment?—Yes.

7230. By which you are ready to abide?—Yes.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Henry Green be struck off the Poll."

Mr. *Whitesides.*] The next is the vote of Thomas Green; 19 on the poll, 26 on the list.

Mr. *John V. Crawford,* called.

Mr. J. V. Crawford.

Examined by Mr. *Whitesides.*

7231. DO you produce the affidavit of registry of Thomas Green?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835, I, Thomas Green, of Elfeed, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Elfeed, in the barony of Rathcline, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 20th day of May in the year 1833, and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them, nor do I intend to let the same, or any part thereof, to such person or persons, or any of them, and that I have not agreed to let it for the term for which I hold it, and that I have not procured or accepted the said freehold fraudulently nor in exchange for a freehold in any other county, city or town. So help me GOD.

Thomas Green.

Sworn and subscribed before me, in open Court,
this 6th day of April 1835,

Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Green, of Elfeed, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Elfeed, in the barony of Rathcline, in this county.

Dated this 6th day of April 1835, at Ballymahon.

Geo. French, Assistant Barrister.

Certificate, No. 1,484. *John V. Crawford,* Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

7232. WERE you present when Thomas Green came up to be registered?—I was; he was the next after the last claimant, and held exactly the same quantity, and at the same rent, 12 acres, 2 roods and 15 perches, 5*l.* 6*s.* 5*d.*, at 8*s.* an acre.

7233. Is he the brother of the last man?—He is.

7234. *Committee.*] Read the whole memorandum?—That is the entry.

7235. Does

George Gardiner.

2 May 1837.

7235. Does the entry say any thing about fine?—No.

Mr. *Robinson.*] I will not trouble the Committee upon this vote.

The Committee came to the following resolution:—

"That the vote of Thomas Green be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Bryan Dowd; 70 on the poll, and 11 on the list.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

Mr. J. V. Crawford.

7236. DO you produce the affidavit of registry of Bryan Dowd?—Yes.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of 10 *l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose, I, Bryan Dowd, of Aughnacross, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Aughnacross, in the barony of Rathcline, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 12th day of November in the year 1762, and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it, and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court, this 15th day of November 1832,

his
Bryan ✕ Dowd.
mark.

J. Doherty, Deputy Assistant Barrister.

Truly read by me, *Michael M'Guire.*

ENTRY of CERTIFICATE of REGISTRY.

County of Longford, to wit.

THIS is to certify, That Bryan Dowd, of Aughnacross, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Aughnacross, in the barony of Rathcline, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,091.
Mr. *Magaver.*

James Ganly, sworn.

Examined by Mr. *Whitesides.*

James Ganly.

7237. HAVE you a note of Bryan Dowd?—I have.

7238. Mr. *Robinson.*] Is that your own note?—Yes.

7239. Taken by yourself?—Yes.

7240. Mr. *Whitesides.*] Were you present when he came up to be registered?—I was; a man of the name of Bryan Dowd, of Aughnacross.

7241. Was he objected to on the ground of value?—Yes.

7242. What number of acres did he swear out of?—Fifteen acres.

James Ganly.

2 May 1837.

7243. *Committee.*] You are talking of Irish acres?—I have not any remark in my note whether they are English or Irish acres.

7244. Mr. *Whitesides.*] At what rent?—Seven pounds five shillings.

7245. *Committee.*] That is the entire rent?—Yes.

7246. Mr. *Whitesides.*] Have you any thing else in your note?—I have.

7247. Read it?—"Three lives in an old lease; heard of one of them in June last."

7248. *Committee.*] Heard of one of the lives?—Yes.

7249. Mr. *Whitesides.*] Have you any thing more in your note?—One of the lives lives in Edenderry; her name was Anne Kiernan.

7250. Is there any thing said about the other lives in the lease?—Not a word.

7251. Mr. *Robinson.*] Was the discussion before the barrister as to the existence of this life or the value?—The discussion, it appears to me, was on the ground of value.

7252. Is there any thing in your note which shows you that?—Yes, because I find there was no other objection raised.

7253. Then, how came you to go into that about the lease?—I did not consider that like an objection, because it was a thing which was done almost invariably.

7254. Is there any thing of that kind from which you can undertake to swear there was a discussion before the barrister as to value?—Yes, according to the general rule I adopted in taking my notes.

7255. Can you undertake to swear, from looking at that, it was so?—Yes, from the general rule I adopted.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham.*

John Corry.

7256. DID you serve a notice on Bryan Dowd, of Aughnacross?—I did.

7257. That is in the same barony of Rathcline?—It is the same as Charles Kennedy's, the same holding.

7258. Mr. *Robinson.*] When did you serve the notice?—On the 14th.

7259. Did you give it to Dowd himself?—I gave it to his son.

7260. Where?—At his house.

7261. His father's house?—Yes.

7262. Then you put the same value on it as you put on Kennedy's?—The very same value.

7263. What is that?—Fifteen shillings per acre.

7264. Have you known it long?—I have.

7265. How long is it that you have known it?—I suppose better than 15 years.

7266. In what state is this land?—It is in a very impoverished state, and it is very bad land.

7267. What sort of building is there on it?—It is a bad cabin.

7268. Are there any offices?—I do not think there are.

7269. You saw no offices?—I saw none.

7270. When did you go over it to value it?—Fourteenth of February.

[*The Witness was ordered to withdraw.*]

Robert Wallace, sworn.

Examined by Mr. *Robinson.*

Robert Wallace.

7271. DO you know the land of Bryan Dowd?—I do.

7272. Did you go and examine it?—I did.

7273. When?—In February last.

7274. What do you say it is worth by the acre?—I think it is worth 1*l.* 10*s.*

7275. Do you think a solvent tenant would be able to give that for it?—I do.

7276. How long have you known the land?—I have known it before.

7277. You went there for the purpose of looking at it?—I did.

Cross examined by Mr. *Wrangham.*

7278. Do you speak from any memorandum you took?—I do.

7279. Let me look at it?—I will—[*handing it to the learned Counsel.*]

7280. Pray did Mr. Bracken value this too?—He did.

7281. The gentleman we have had here this morning?—Yes.

7282. You

Robert Wallace.

2 May 1837.

7282. You valued the land of Bryan Dowd?—Yes.

7283. Did you value Charles Kennedy's also?—Yes, I did.

7284. Which is the better land of the two?—Indeed I believe there is very little difference.

7285. I see you have valued Bryan Dowd at 30*s.*, and you valued Charles Kennedy at 32*s.* 6*d.*?—I have no doubt the other would get 1*l.* 12*s.* 6*d.* if he was setting it.

7286. What is the value you put on it?—I think it is well worth 30*s.*

7287. When did you make that book?—I have sworn before to that, it is a copy.

7288. When did you make it?—I made it before I left home, I think, about ten days, and have made no alteration whatever since.

7289. What sort of a house is there on it?—It is a tolerably good house.

7290. Now is it a good one or a bad one?—Why it is a house that a man of his rank of life could live in very well.

7291. *Committee.*] What sort of offices?—Only middling.

7292. There are offices?—I believe only one, a cow-house.

7293. Mr. *Wrangham.*] Are you quite sure it is not a pig-sty?—No.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:

"That the vote of Bryan Dowd be struck off the poll."

Mr. *Whitesides.*] The next is John Dowd; 12 on the list, 69 on the poll.

Mr. *John V. Crawford*, called.

Mr. J. V. Crawford.

7294. Mr. *Whitesides.*] DO you produce the affidavit of registry of John Dowd?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of 10*l.* in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford appointed for that purpose, I, John Dowd, of Aughnacross, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates, and cesses on any townland or division of any parish or barony lying and being at Aughnacross, and barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of a deed, lease or instrument, bearing date the 12th day of November 1762; and that I am in the actual possession thereof, by residing, tilling and grazing, and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Dowd.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,

J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Dowd, of Aughnacross, farmer, of this county, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Aughnacross, and barony of Rathcline, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,247.
Mr. *Magaver*, Pd.

A. A. Griffiths.

2 May 1837.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

7295. HAVE you a note of John Dowd?—I have.

7296. Were you present when John Dowd came up to be registered?—John Dowd of Aughnacross.

7297. Was he objected to on the ground of value?—He was.

7298. What number of acres did he swear out of?—Fifteen acres.

7299. And what rent did he swear he paid?—Seven pounds a year, and some odd shillings.

Cross-examined by Mr. *Robinson.*

7300. Is that your own note?—It is my clerk's.

7301. What clerk?—Gardner, who is not in the country.

7302. When was it?—It was made while the man was under examination.

7303. When was it?—On the 21st November 1832.

7304. Were you in the court when John Dowd was called?—I was.

7305. You saw him?—I did.

7306. Who was the registering barrister?—Mr. Doherty.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides.*

John Corry.

7307. DID you serve a notice on John Dowd, of Aughnacross?—I served a notice on him on the 14th.

7308. Does he live in the same place as the last Dowd?—He does.

7309. Is he his brother?—He is his brother.

7310. Does his farm differ in any respect, is it better or worse than the farm of the other Dowd?—It is all the same description entirely.

7311. How long have you known it yourself?—I have known it better than 15 years.

7312. Is there a house on it?—There is a bad cabin on it.

7313. And offices?—I do not think there are.

7314. Do you place any higher rent on this than on his brother's farm?—Not a bit.

7315. It is in the Callows county, is it not?—It is.

Cross-examined by Mr. *Robinson.*

7316. You say you gave this notice to John Dowd himself?—I did not.

7317. Who did you give it to?—I served it in the cabin on his family.

7318. Altogether?—Yes, altogether; I know the family pretty well.

7319. Which of them did you give it to?—I think it was his wife.

7320. Was any body else there?—There were, I think, other persons.

7321. You left it with somebody on the land?—I left it in the cabin.

7322. Did you tell them what it was?—That was a general rule I made.

7323. About this land of John Dowd, how did he use it, has he sheep or not?—I do not think he has any sheep at all; I saw no stock of any description on it.

7324. What does he do with it, is there any in tillage?—There is some in tillage.

7325. How much, give us some notion?—I cannot say.

7326. Out of the 15 acres, how much was in tillage?—I cannot tell.

7327. Can you tell us how much of the other Dowd's was in tillage?—I cannot.

7328. How long might you be there taking this valuation?—I suppose I was there better than half an hour.

7329. You cannot tell us how he seemed to use it, or what part is in tillage, or how much?—It is land, the surface of which has been burnt repeatedly over and over again, and is of little value.

7330. And in your opinion it is not better than the other Dowd?—It is just the same.

7331. Mr. *Whitesides.*] Does burning the soil improve it?—It would injure it very much.

7332. Is

7332. Is it a clay soil?—It is a dry soil much burnt; the substance is burnt out of it. *John Corry.* 2 May 1837.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Robinson*.

7333. DO you know the land of John Dowd?—I do.

7334. As compared with the other Dowd is this land better or worse than the land occupied by the other Dowd?—No, I think it is the same in every respect. *Thomas Bracken.*

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of John Dowd be struck off the poll."

Mr. *Whitesides.*] The next vote is Dominick Keegan, 33 on the list, 23 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

7335. DO you produce the affidavit of Dominick Keegan?—I do. Mr. *J. V. Crawford.*

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the 4th day of April, in the year of our Lord 1836; I, Dominick Keegan, of Currarow, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and lands, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Carrarow, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 30th day of April, in the year 1827; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Truly read by me, *Michael Donelly*.
Sworn and subscribed before me, in open Court, this 4th day of April 1836,
his
Dominick × *Keegan*.
mark.
F. Lindesay, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Dominick Keegan, of Carrarow, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 l., situate a Carrarow, barony of Rathcline, in this county.

Dated this 4th day of April 1836, at Ballymahon.

F. Lindesay, Assistant Barrister.

Certificate, No. 1,603. Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Whitesides*.

7336. HAVE you a note of Dominick Keegan?—I have. *George Gardiner.*

7337. Were you present when he came up to be registered?—I was.

7338. Was he objected to on the ground of value?—He was.

7339. What number of acres did he swear out of?—He produced a lease of 16 acres, 2 roods, 10 perches, rent 10 *l.* 4 *s.* 4 *d.*, 13 *s.* per acre.

7340. *Committee.*] Read the whole of your memorandum?—"Says he could get 12 *l.* a year for it, although he does not propose to set it; that land convenient

George Gardiner.
2 May 1837.

nient pays 30 *s.* Cross-examined by counsel to know what he could get per acre: Would pay 27 *s.* sooner than want it; was ejected, but paid up the debt."

7341. Does it state the terms of the lease?—No.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides.*

John Corry.

7342. DID you serve a notice on Dominick Keegan, of Carrarow, to produce his lease?—I did.

7343. What day did you serve?—On the 16th of February.

7344. Did you examine, at the same time, the farm?—I did.

7345. Is it in the same country as the other farm we have been examining about?—It is in the same country.

7346. Is it at Carrarow, in the barony of Rathcline?—It is.

7347. State what kind of land it is?—It is rocky land, a great part of it under rock, the remainder of it very light and bad.

7348. Is there a house on it?—A bad cabin.

7349. Any offices?—No offices.

7350. A cow-shed?—Not a cow-shed.

7351. What is the highest rent a solvent tenant could afford to pay for this land, including the house and offices?—I think it would be very high at 13 *s.*

7352. Do you mean to say that all land in this district is about the same?—There is some part better than others, but I am not come to that part of the land yet.

7353. Is it the same kind of land as Michael Hunt's?—Rather worse.

7354. You were examined in Michael Hunt's case?—I was.

7355. In what respect is it worse than Michael Hunt's land?—There is more rock upon this land.

7356. Who did you give the notice to?—To his wife, in the house.

7357. *Committee.*] Are you certain the land is not worth 1 *l.* an acre?—Certainly, it is not worth that by no means; it is all a bad description of land.

7358. Do you know whether the lease under which he holds the land is an old lease or a new one?—I do not know that.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Francis Davis, called.

Examined by Mr. *Robinson.*

Francis Davis.

7359. DID you value the land of Dominick Keegan?—Yes.

7360. When?—I was on it in February.

7361. Did you know it before that time?—I have known it many years.

7362. Has Keegan lived there many years?—Yes, for some time.

7363. What do you say it is worth per acre, in your judgment, to a solvent tenant?—I think this land, with the house on it, is worth 26 *s.* per acre.

Cross-examined by Mr. *Wrangham.*

7364. Has it any offices?—I do not think there are any offices.

7365. Have you a doubt that there are no offices at all?—He may have one, but I am sure he has not more.

7366. Have you any doubt that there are no offices at all on this farm?—I cannot swear positively whether there are or not on this farm.

7367. You cannot tell the Committee whether there are any offices on it or not?—I cannot.

7368. *Committee.*] Could you state what the sort of cabin which is on this land could be built for?—I conceive that it might be built for about 12 *l.*; building materials are cheap there.

7369. You said you could build a house for 10 *l.*, I think?—This is a good house, a large house.

7370 Without any offices?—I think not.

7371. Still a very good house?—A very good house.

7372. Built

Francis Davis.

2 May 1837.

7372. Built with stone?—Yes, built with stone.

7373. Have you ever been inside the house?—No, I have not.

7374. Perhaps the house has the offices inside it, and the cows and the pigs live in it?—I do not know that at all.

7375. Are there any pigs in the house?—I have not been in it.

7376. Is the house thatched?—Yes, the usual covering for farm houses in Ireland.

7377. Are there stairs?—I was not in the house, and I cannot tell.

7378. How high is it?—It is about one story high, therefore there can be no stairs in it.

[*The Witness was ordered to withdraw:*]

The *Committee* came to the following resolution:—

"That the vote of Dominick Keegan be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is the vote of James Kenny, 32 on the list, 54 on the poll.

Mr. *John V. Crawford* called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

7379. DO you produce the affidavit of registry of James Kenny?—Yes.

[*The following Document was handed in.*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a General Quarter Sessions of the Peace, holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835; I, James Kenny, of Lisrevagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Lisrevagh, in the barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 30th day of April in the year 1827; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

James Kenny.

Sworn and subscribed before me, in open Court,
this 6th day of April 1835,
Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That James Kenny, of Lisrevagh, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Lisrevagh, in the barony of Rathcline, in this county.

Dated this 6th day of April 1835, at Ballymahon.

Geo. French, Assistant Barrister.

Certificate, No. 1,491. *John V. Crawford,* Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

7380. WERE you present when James Kenny came up to be registered?—I was.

7381. Was he objected to on the ground of value?—He was.

7382. What was the quantity, and what was the rent he swore to?—He produced a lease of 18 acres, 3 roods, 20 perches, rent 21*l.*, which is about 1*l.* 2*s.* an acre; swore he had all in possession, was admitted; that is all.

Cross-examined by Mr. *Robinson*.

George Gardiner. 7383. Is that your own note?—It is.

2 May 1837.

[*The Witness was ordered to withdraw.*]

John Corry, called,

Examined by Mr. *Whitesides*.

John Corry. 7384. DID you serve a notice to produce a lease on James Kenny, in the barony of Rathcline?—I did.

7385. When did you serve it?—On the 10th of February.

7386. Did you examine this farm too?—I did.

7387. What kind of land is it, what quality of land is in it?—It is rather a better description of land than the last.

7388. Is it of the same nature?—It is of the same nature, but it is rather better than the last.

7389. Is there any part of it rocky?—There is some rock on it.

7390. Is a part of it wet, or flooded with water?—There is.

7391. What part of it?—Nearly two acres; I think there is about two acres covered with water.

7392. Is there a house upon it?—There is a bad cabin on it.

7393. Any offices?—I saw no offices.

7394. What is the highest value you put upon that land which you think a solvent tenant could afford to pay and live?—I put 18*s.* on that, including every thing.

7395. According to the best of your judgment and knowledge of land in that country, would 21*s.* or 22*s.* an acre be too high a rent?—I think it would be too high a rent.

Cross-examined by Mr. *Robinson*.

7396. My friend has asked you about your knowledge of land in this country; now confine your evidence to the value of James Kenny's land; did you examine it sufficiently to be able to say that 18*s.* an acre is sufficient for a tenant to pay?—Yes.

7397. You do not think a solvent tenant could pay more than that?—I do not think he could.

7398. Now you say that two acres of this was flooded, when you went to value it was it not very rainy weather?—Yes, it was very wet weather.

7399. How was the land occupied?—The other part was tillage land of an inferior description.

7400. How much can you say of it was tillage land?—I cannot say how much of it.

7401. Which land are you speaking of?—James Kenny's.

7402. How many acres do you say would be in tillage?—I do not know exactly.

7403. All that you recollect about it is, that there were two acres covered with water, and whether the rest of the land was in tillage you have no recollection about?—No.

7404. Who did you give this notice to?—I served his notice personally.

7405. Do you know the man?—I was shown the house by James Rawlins.

7406. Did you know any thing of him?—I never knew any thing of him before.

7407. Do you know whether he pays his rent?—I know nothing of it.

7408. Did you know what his rent was?—No, I did not.

7409. If he is paying 22*s.* an acre, you think he is paying too much?—Yes, I do.

7410. Did he complain to you the rent was too high?—No.

7411. You say there is some rocky land; how much is there?—I cannot tell exactly; I went over it and valued it, and took the average of the whole.

7412. How much rocky was there; you say there were two acres of wet; how much rocky was there?—I cannot say that.

Re-examined by Mr. *Robinson*.

7413. You say this is better land than Keegan's; what is the difference between the two?—The upland appears to be better than Keegan's, and better tillage land.

7414. *Chairman.*]

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7414. *Committee.*] You do not recollect how much rocky there was?—No.

7415. How much was covered with water?—I only judge from the appearance of the flood I saw.

7416. It was flood water?—Flood water.

7417. Could you tell the quality of the land when it was covered with water?—The part not covered with water was rather of a better description than some I had seen.

7418. Valuable meadows are often flooded?—There is no meadow on this at all.

7419. What, are they bottoms?—No, there is no meadow.

7420. Is the land you hold yourself near the house?—Not within eight or nine miles of it.

John Corry.

2 May 1837.

Re-examined by Mr. *Wrangham.*

7421. Although you could not value the land covered with the flood, you knew from the general description what kind of land it would be?—Yes, from seeing the remainder of it.

7422. *Committee.*] You could not have valued the farm if it was covered with snow?—No.

7423. Mr. *Robinson.*] You did not see any offices there?—I did not.

7424. *Wrangham.*] You valued the land under the water as being of the same quality as that of the edge of it?—Of a worse description.

7425. Is there worse land in the barony of Rathcline in the Callows country?—There is worse land in it.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is my case.

Thomas Bracken, called.

Examined by Mr. *Robinson.*

7426. DO you know the land of James Kenny, of Lisrevagh?—I do.

7427. When did you value it?—In March.

7428. Did you know the land before that time?—I did.

7429. What sort of house is upon it?—A tolerable good house, with a barn, stable and cow-house.

7430. Are you sure there is a barn, stable and cow-house?—Yes, I went in them all.

7431. If a man went over the land to value the farm, would he miss seeing the barn, stable and cow-house?—He could not miss seeing them, because they are the offices he would see first in his approach to the house.

7432. What do you say in your judgment it is worth by the acre?—Thirty-five shillings per acre; it is a very fine farm.

7433. Is it better than Keegan's?—It is twice as good nearly; I saw as good oats in his barn as ever I saw in my life, the produce of his farm.

7434. You know this James Kenny?—I do.

7435. How long have you known him?—Ten or twelve years.

7436. Are you quite certain you saw this barn, stable and cow-house?—I was in the three houses and his dwelling-house; and what brought me into the cow-house was to see a cow of his that he was disposed to sell.

Thomas Bracken.

Cross-examined by Mr. *Wrangham.*

7437. There was a cow there, was there?—There was, and a good one too.

7438. You are quite sure it was not a bull?—I know the difference too well.

7439. You are speaking from your memorandum?—I am.

7440. Let me look at it, will you?—I will; [*Handing it to the learned counsel.*]

7441. Is not this in the district of the Callows?—The whole of that is in Rathcline.

7442. Is not Callows in Rathcline?—I cannot immediately say that; I think that Callows is the parish of Cashel.

7443. Do you mean to tell us that the parish of Rathcline is not in the Callows?—I have not heard of it being included in the Callows.

7444. Do you know this country?—I do, very well.

Thomas Bracken.
2 May 1837.

7445. And do you mean to tell the Commitee the parish of Rathcline is not part of the Callows?—What I understood always by the Callows is the parishes of Cashel and Newton.

7446. And you mean to tell the Committee that the parish of Rathcline is not in the district of the Callows?—It may be called the Callows for what I know.

7447. The land you say is much better than Keegan's?—It is a good farm, and is in good condition, and well sowed and tilled.

7448. How much had he tilled?—There was 11 acres or thereabouts.

7449. No rock?—No rock.

7450. None whatever?—None.

7451. On the face of the whole farm?—There was none.

7452. That you swear?—Yes, I do.

Re-examined by Mr. *Robinson.*

7453. There are two parishes, I understand, one of Cashel and one of Rathcline?—Yes.

7454. Is not the Cashel parish usually called the Callows?—Yes.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of James Kenny be retained on the poll."

Mr. *Wrangham.*] The next is the vote of Edward Farrell, 20 on the list, 118 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

7455. DO you produce the certificate of Edward Farrell?—I do.

7456. By Mr. *Robinson.*] Are there not two Edward Farrells of the barony of Rathcline on the registry?—There are.

Mr. *Robinson* then submitted that the objection to this vote could not be proceeded with.

Mr. *Wrangham.*] I admit we cannot proceed on that vote. The Committee then came to the following resolution:—

"That the vote of Edward Farrell should be retained on the poll."

Mr. *Wrangham.*] The next vote that we object to is the vote of John Gavigan, 23 on the list, 39 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

7457. DO you produce the affidavit of registry of John Gavigan?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL., IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, John Gavigan, of Turreen, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Turreen, and barony of Rathcline, in the county of Longford; and that the freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 30th day of April, in the year 1827, and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; and that I do not intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold

hold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD. 2 May 1837.

Truly read by me, *John Reams.*

his
John × *Gavigan.*
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832,

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Gavigan, of Turreen, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Turreen, and barony of Rathcline, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate, No. 404. *John V. Crawford,* Clerk of the Peace.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

Arthur A. Griffiths.

7458. WERE you present when John Gavigan came up to be registered?—I was.

7459. Was he objected to on the ground of value?—He was.

7460. What number of acres did he swear he had?—Seventeen acres.

7461. What was the rent he swore he paid?—One pound seven shillings and sixpence an acre.

Cross examined by Mr. *Robinson.*

7462. Did you hear John Gavigan examined yourself?—I did.

7463. Was he objected to on the ground of value?—He was.

7464. Is that note in your handwriting?—No.

7465. How soon after did you see it?—The very moment it was written.

7466. That you swear?—I do; it was written in my presence.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham.*

John Corry.

7467. DID you serve a notice to produce his lease on John Gavigan?—I did.

7468. When did you serve it?—On the 16th February.

7469. Did you examine his farm?—I did.

7470. Is it in the barony of Rathcline?—It is in that barony, in the Callows country.

7471. Is there a house on it?—There is a very bad house on it.

7472. What quality is the land?—Very wet; it is of a very wet nature, spouty land, and a very inconvenient neighbourhood for a market.

7473. How far from a market town?—Nine miles from a market town.

7474. Are there good roads in that part of the country?—No, bad roads.

7475. What is the highest rent you think a solvent tenant could pay for it and live?—I put 1*l.* 5*s.* an acre upon it.

7476. Including every thing?—Including every thing.

7477. That is the highest rent you think a man could pay for it?—Yes.

Cross-examined by Mr. *Robinson.*

7478. The land in this district is not all of the same quality?—It is not.

7479. This you say is worth 1*l.* 5*s.* an acre?—It is.

7480. Did you examine the land with the same care and accuracy as you did James Kenny's?—I have examined it.

7481. With more accuracy than Kenny's?—I have examined them all particularly; very carefully.

 7482. Impartially?

John Corry.

2 May 1837.

7482. Impartially?—Yes, very carefully all of them.
7483. Were you on foot or on horseback?—On foot, I could not ride.
7484. Did you see no offices on them?—I have no note of any office.
7485. You did not see any?—No.

Re-examined by Mr. *Wrangham.*

7486. How came you not to ride over this part of the country?—I should be very well mounted to ride over it.
7487. It is a stiff country?—Yes, there is plenty of rock.
7488. Are the fences in good order?—Yes, there are fences and stone walls, and a great many difficulties in going through it.
7489. Mr. *Robinson.*] Who did you serve the notice on?—On his wife.
7490. Did you know it was his wife?—No.
7491. Who told you it was James Kenny's?—James Rawlings.
7492. Mr. *Wrangham.*] He is the collector of cess?—Yes.

Mr. *Wrangham.*] This is my case.

Thomas Bracken, called.

Examined by Mr. *Robinson.*

Thomas Bracken.

7493. DID you examine the land of John Gavigan, of Turreen?—I did.
7494. When was it?—In February.
7495. Did you go carefully over it?—I did.
7496. Is there a house on it?—There is.
7497. Any offices?—There is a large stable, which does for a cowhouse and stable.
7498. Taking it altogether, what do you say it is worth per acre?—The land, without the house, I think, is worth two guineas per acre.
7499. What would it be, taking the house in the usual way?—I think if would be worth 44*s.* an acre; this farm is a good farm, it contains meadow, which is rare in that country.
7500. Does it make it valuable in that country?—Yes, very much.
7501. Is meadow plenty in that neighbourhood?—No, very scarce.
7502. You swear there was this stable you speak of?—I am confident of it.
7503. Do you think a person going to value it could miss seeing it?—He could not miss seeing it.
7504. What sort of house is on it?—A good house.

[*The Witness was ordered to withdraw.*]

The *Committee* came to the following resolution:—

"That the vote of John Gavigan be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Lawrence Gerraghty; 50, on the poll, 27 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. J. V. Crawford.

7505. DO you produce the affidavit or registry of Lawrence Gerraghty?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 and 3 WILL. IV. c. 88.

AT a General Quarter Sessions of the Peace, holden at Ballymahon, in and for the county of Longford, on the 6th day of April, in the year of our Lord 1835; I, Lawrence Gerraghty, of Gurteen, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Gurteen, barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 1st day of April in the year 1832; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person

or

or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD. *Laurence Gerraghty.* 2 May 1837.

Sworn and subscribed before me, in open Court,
this 6th day of April 1835.

Geo. French, Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Laurence Gerraghty, of Gurteen, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Gurteen, in the barony of Rathcline, in this county.

Dated this 6th day of April 1835, at Ballymahon.

Geo. French, Assistant Barrister.

Certificate, No. 1485. *John V. Crawford*, Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

7506. WAS you present when Lawrence Gerraghty came up to register?—I was.

7507. Was there an objection?—There was.

7508. What number of acres did he swear he held?—He produced a lease of 13 acres Irish; rent 16*l.* 5*s.*; 25*s.* per acre.

7509. Any thing more?—Yes; "got the lease in 1832; was abated from 29*s.* to 25*s.*; says he built a house. Flannagan sworn on behalf of the claimant; would give 2*l.* per acre; admitted."

7510. Have you read the whole note?—I have.

7511. Mr. *Robinson.*] Was you present when there was any examination as to the value?—I was; he had a witness on his behalf.

7512. When was this?—April 1835.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides*.

John Corry.

7513. DID you serve a notice to produce on Laurence Gerraghty, of Rathcline?—I did.

7514. When did you serve it?—On the 15th February.

7515. Did you examine his farm?—I did; I do not know exactly whether it is in the barony of Rathcline.

7516. Is there a house on it?—There is a house, and some offices.

7517. What would be the cost of that house and those offices, according to your judgment?—I think 10*l.* would build the whole of them altogether.

7518. What kind is the land?—The land is of a middling description, rather better than what I have seen.

7519. Is it prime land or second-rate land, or what?—I call it second-rate land.

7520. What is the highest rent a solvent tenant could afford to pay for the house and all, just as it stands?—In the view I take, I include the house and improvements; I put 1*l.* 8*s.* an acre on it.

7521. Is that the highest rent that you think a solvent and responsible tenant could pay for it?—I think that a high rent for it.

Cross-examined by Mr. *Robinson*.

7522. You saw the offices in this instance?—Yes; I did.

7523. They were very large offices then?—No, indeed they were very small.

7524. And yet you saw them?—Yes.

7525. Did you examine them with the same accuracy as you did before?—I examined them carefully.

John Corry.

2 May 1837.

7526. Sometimes you did, and sometimes you did not; does that depend on the time you had to make the valuation?—No.

7527. Did you always observe the offices where there were offices?—I think I have observed them; they might have escaped me sometimes.

7528. You did not value this alone?—No, I did not.

7529. Who was with you?—Mr. Wilson.

7530. Mr. Wilson, I suppose, chiefly undertook the valuing part?—He valued it with me.

7531. Who is Mr. Wilson?—He is a farmer, in the county of Longford.

7532. Is he a person well acquainted with the value of land?—Very well acquainted.

7533. Now, what is your business; are you acquainted with the value of landed estates?—I am a farmer, too.

7534. Have you been employed in valuations?—Never before.

7535. What sort of a house is this you speak of?—It is a middling description of house.

7536. It is not one of the very bad mud cabins?—It is bad enough; it is better than a great many I have seen.

7537. How long did it appear to have been built?—I think it is rather a new building.

7538. Have you any doubt about it?—I have.

7539. Have you any doubt whether it is a new building or an old one?—It appeared to me to be a new one.

7540. Did you examine it sufficiently to be able to tell us whether this is an old building or a new one?—I think it is a new one.

7541. How long, from the look of it, should you suppose it has been built?—It might be built two or three years.

7542. Did it appear to you to be built two or three years?—It appeared to me to be a new building.

7543. Did you go inside of it?—I did go inside the cabin.

7544. What offices are there belonging to it; I suppose that note is in your own hand-writing?—Yes, it is.

7545. What offices do they appear to be?—Either two or three, I am not certain which.

7546. Did they appear to have been built the same time as the house, do you recollect?—No, I do not.

7547. How was the farm used; was it grazed, or tilled, or what?—It was both grazed and tilled.

7548. How much of each?—Whatever compliment was in it I do not know; but there might be two acres of it which went down to the side of the river; the remainder was upland, and that could all be tilled.

7549. About how much should you say altogether, according to your calculation of it; 20 acres or five?—There were not 20.

7550. You have no accurate recollection of it, have you?—I do not know the complement of land he holds.

7551. How much land have you got in your possession?—Under 30 acres; from 27 to 29 acres in my own possession.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Thomas Bracken, called.

Examined by Mr. *Robinson.*

Thomas Bracken.

7552. DO you know the land of Laurence Gerraghty, of Gurteen?—I do.

7553. Did you go over it at any time for the purpose of valuing it?—Several times in my life.

7554. Do you know the land well then?—Yes.

7555. When did you last examine it?—In the month of February.

7556. Did you then go over it for the purpose of giving evidence?—I did.

7557. What sort of a house is there on it?—A good new house, built within the last four years.

7558. Has it been built since Laurence Gerraghty was there; did he build it? He did.

7559. What

7559. What is it built of?—Lime and stone.

7560. Are there any out offices?—Yes.

7561. In what state are they?—They are in a good state; they are something longer built than the house.

7562. Taking the place altogether, buildings and all, what do you say it would be worth per acre, good and bad?—It would not be two hours in the market till a good tenant would give two guineas an acre for it, and a year's fine.

7563. Do you believe a solvent tenant would give two guineas an acre for it, and give a year's fine?—There could be 40 men got to give it, and they would be thankful to get it.

7564. When you say 40, do you mean solvent people?—I mean to say they would be industrious people who would take it; for a man's solvency I cannot say.

7565. I mean, what would a person be able to give who pays his rent?—A man could pay his rent, if he had any kind of industry at all.

7566. At that rate?—Yes, it is an extraordinary nice bit of land, near the canal, and near the town of Ballymahon.

7567. How near is it to the town?—Something about two miles; it may be two miles round the road.

7568. Is that a good market-town?—The best in that district of the country.

7569. Is it a good market for grain?—Yes.

7570. How near is this canal you spoke of to the farm?—A quarter of a mile.

7571. Does it afford a facility to the tenant?—Yes.

7572. Does that make the land more valuable?—Yes.

7573. More likely to let?—Yes, and there is a good bog attached to that neighbourhood.

Cross-examined by Mr. *Whitesides*.

7574. This is quite an extraordinary farm?—It is not extraordinary in that neighbourhood.

7575. They are all extraordinary in that neighbourhood?—I say it is a very good one.

7576. Let me look at your note?—I will—[*handing it.*]

7577. Is it a fact, within your own knowledge, that 40 people would be willing to take this?—I know it, from the quantity of people who want land in this part.

7578. Did you ever know an instance of any man offering two guineas for it?—Not for that.

7579. And you know there is a great desire to get land almost at any price?—Not at any price.

7580. There are many people who give a high price to get land?—Yes.

7581. Is this the original note?—I did not take the memorandum of that farm in that book, but I entered it when I returned home that night.

7582. You did not write that at the same time you wrote the other memorandums?—No, I had not made the book when I viewed that farm.

7583. Did you do that after?—Yes, that night.

7584. Do you know who the landlord is?—I do.

7585. Did you know that the landlord reduced the rent from 29*s.* to 23*s.*?—I knew of no such thing.

7586. But you know that the landlord would get two guineas for that farm?—I do, if it was in the market.

7587. *Committee.*] You do not know this man's rent was once 29 *s.* an acre?—I know no such thing.

7588. And that it was abated to 1*l.* 5*s.*?—I do not know.

7589. Did he swear that at the registration?—I do not know.

7590. Would you be surprised to hear it?—I would not, for I know the landlord might reduce the rent.

7591. Do you think the landlord ought to reduce the rent?—The houses were not built on it when he set that land.

7592. You are sure that the present tenant built that house himself?—Yes.

7593. You are certain of it?—I have seen the man himself building it.

7594. Did he build the offices as well as the house?—I did not see him build the offices, but I saw him build the house.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Laurence Gerraghty be retained on the poll."

2 May 1837.

Mr. *Wrangham.*] The next is the vote of Patrick Hanley; 28 on the list, 21 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *J. V. Crawford.*

7595. DO you produce the affidavit of Patrick Hanley?—I do.

[*The following Document was then put in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, Patrick Hanley, junior, of Lisnacusha, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Lisnacusha and barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 30th day of April in the year 1827; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them, nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Pat. Hanley.

Sworn and subscribed before me, in open Court, this 22d day of October 1832.

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Hanley, of Lisnacusha, in this county, farmer, was this day duly registered before me, as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Lisnacusha, and barony of Rathcline, in this county.

Dated the 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate, No. 466. *John V. Crawford*, Clerk of the Peace.

7596. Mr. *Robinson.*] Are there not two Patrick Hanleys, of Rathcline?—There are two Patrick Hanleys in the barony of Rathcline.

7597. Are there more than two Patrick Hanleys?—I do not find more than two in the affidavits of the barony of Rathcline.

Mr. *Robinson* objected to this vote being further proceeded with, on the ground that sufficient information was not afforded them in the list of objections furnished as to which Patrick Hanley this was.

Mr. *Wrangham* was heard in answer to the objection.

Mr. *Robinson* replied.

The Committee overruled the objection.

Arthur A. Griffiths, called.

Examined by Mr. *Wrangham.*

A. A. Griffiths.

7598. WERE you present when Patrick Hanley the younger, of Lisnacusha, came up to be registered?—I was present when Patrick Hanley, the younger, of Lisnacusha, registered; I opposed him.

7599. Did you oppose him on the ground of want of value?—I did.

7600. What quantity of acres did he swear out of?—Twelve acres, twenty-five perches.

7601. At

7601. At what rent per acre?—Thirty-one shillings and sixpence, making the gross amount 19*l.* 2*s.* 11*d.* *A. A. Griffiths.* 2 May 1837.

7602. *Committee.*] Is there any thing further in your memorandum?—There is more; he said he could improve it, and he would get 50*s.* for it, and different places near him set at that rent; that a part of New Park at present paid 2*l.* 12*s.*, but he did not know what persons near him paid.

7603. He said people near him paid 50*s.*?—He said so first, but afterwards he could not state any; he said Mr. White gave land in order to enable persons to register, and thinks with his buildings he might get 50*s.* an acre for his land.

7604. He holds under Mr. White?—He does.

7605. Had he a lease?—Yes.

7606. What were the terms of his lease?—A freehold for life or lives, I cannot say which.

7607. What is the date of the lease?—I do not know.

Cross-examined by Mr. *Robinson.*

7608. Is this your writing?—No, it is Mr. Moore's.

7609. Did you see it immediately after it was written?—I did at the time.

7610. Did you see Patrick Hanley?—I must have been present when he came up.

7611. Do you know more than one Patrick Hanley?—I do not know personally either of them; I do not recollect them personally.

7612. Are you able to say whether the party you are speaking of is Patrick Hanley the elder or the younger?—I am not of my own knowledge.

7613. You say you were present when Patrick Hanley came up to be registered, which you are speaking of?—I cannot distinguish between the senior and the junior; it was a person who came up on the 2d of November; that is all I can say of it.

7614. *Committee.*] Can you identify them?—I cannot; there are no persons whom I know.

7615. I will put your note of each Patrick Hanley in your hand, and I will ask you whether you can distinguish which of the two Patrick Hanleys is senior and junior?—I cannot distinguish which is the senior and which is the junior; they were both registered on the same day.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* contended that the Patrick Hanley, the voter in question, had not been sufficiently identified.

Mr. *Wrangham* was heard in answer to the objection.

The Committee came to the following resolution:—

"That the vote of Patrick Hanley be retained on the poll."

Mr. *Wrangham.*] The next vote we object to is the vote of John Farrell; 38 on the second day's poll, and 16 on the list.

Mr. *John V. Crawford,* called.

Examined by Mr. *Robinson.*

7616. ARE there not two John Farrells of Rathcline on the registry?—There are three John Farrells of the barony of Rathcline on the registry. Mr. *J. V. Crawford.*

Mr. *Thesiger* contended that there appearing to be three persons registering of the name of James Farrell, there was nothing upon the list of objections to inform them which of the three James Farrells was the person intended to be objected to.

Mr. *Wrangham* was heard in answer to the objection.

The Committee-room was cleared; on Counsel and Agents being called in, they were informed that the Committee had come to the following resolution:—

"That Counsel do proceed with the vote of John Farrell."

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

7617. HAVE you looked through the poll-book of the barony of Rathcline?—I have. Mr. *J. V. Crawford.*

Mr. *J. V. Crawford.*
2 May 1837.

7618. Do you find more than one John Farrell on the poll-book?—Not of that barony.

7619. Read the entry in the poll-book of that John Farrell?—John Farrell, 38 on the second day's poll; it appears his residence is Turreen.

7620. *Committee.*] What barony is that?—The barony of Rathcline.

Cross-examined by Mr. *Thesiger.*

7621. You have the affidavit of registry of three John Farrells?—I have.

7622. Is not the affidavit marked in the same way when the party polls?—If he polls from the affidavit it is marked by the sheriff; taking the poll in this case, neither of the three appear to have been marked at any election.

7623. That does not appear to be polled by the affidavit?—No.

7624. Do you produce the affidavit of registry?—I do.

[*The following Document was then handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, John Farrell, of Turreen, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Turreen, and barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 30th day of April in the year 1827; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Duly read by me, *John Kearns.*

Sworn and subscribed before me, in open Court, this 22d day of October 1832,

his
John × *Farrell.*
mark.

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Farrell, of Turreen, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Turreen, and barony of Rathcline, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate, No. 666.

John V. Crawford, Clerk of the Peace.

Arthur A. Griffiths, called.

Examined by Mr. *Wrangham.*

A. A. Griffiths.

7625. WERE you present at the registry when John Farrell, of Turreen, came up to be registered?—I was.

7626. Did you oppose him?—I did.

7627. On the ground of value?—Yes.

7628. What number of acres did he register out of?—Thirteen acres twenty-five perches.

7629. At what rent?—Thirty-one shillings and sixpence, which comes to 20*l.* 16*s.* 4*d.*

Cross-examined

Cross-examined by Mr. *Thesiger*.

A. A. Griffiths.
2 May 1837.

7630. Is that your own entry, or somebody's else?—My own.

7631-2. Let me look at it; it appears that a witness was called besides James Farrell; a witness of the name of Hubert Farrell; you had better read the whole entry?—"He says he built the house six years ago, that is since he got the lease, and that the house cost him 20*l.*, and he does not doubt but that he might get between 2*l.* 8*s.* and 2*l.* 10*s.* an acre. Hubert Farrell was called; knows the farm, and thinks it is worth 48*s.* per acre, and thinks he would give it if he wanted land." That is the meaning of the note.

7633. Tell us what the note is?—"Hubert Farrell knows the farm is worth 48*s.* if he wanted land; then Farrell, of Lisniskie is called; he swears it is worth 32*s.* an acre."

7634. Have you read it all?—No, I have not; "except New Park, on the third letting between 40*s.* and 42*s.*" That is New Park let on a third letting, where there were two persons landlords, from 40*s.* to 42*s.* an acre.

7635. Do you mean two middlemen?—I do; that, at a third letting, produced from 40*s.* to 42*s.* an acre, which was the full value for that land; there is a note here, but it is not any thing as to the value; he means to say it would be very odd, after expending what he did, if the land were not worth something more.

Re-examined by Mr. *Wrangham*.

7636. Were there any witnesses examined in support of the vote?—There were.

7637. Both the men who swore to the 48*s.* and the men who swore to the 32*s.*?—I think so.

7638. Mr. *Thesiger*.] Will you swear it?—No, I will not; a witness may have come up and may have sworn against the vote, no matter what party brought him.

7639. *Committee*.] I understood you to be present?—I was; the note does not say on whose part the witnesses came up; I rather think the claimant brought them up.

7640. Mr. *Wrangham*.] Did you call any witnesses?—I am quite sure the first witness was brought up by the claimant, because he swore very high, and the other so different, that I am not quite certain.

7641. You are not quite sure whether you called witnesses or not?—I am not.

7642. One swore to 42*s.* and the other to 48*s.*?—Yes.

7643. Do I understand you that in reading your note the voter swore he built the house six years ago?—Six years before that time.

7644. Did he also state that he had a lease before he built the house?—He stated that he had built the house six years ago, that he had got a lease, and that it was six years since he had got the lease.

7645. *Committee*.] Do you know James Farrell?—I do not know him personally.

7646. Were there any other James Farrells, of the barony of Rathcline, who came up to be registered?—I am sure there were other James Farrells, but I do not know whether of Lisniskie or Turreen.

7647. The one you have been speaking of was Farrell of Turreen?—Yes.

7648. That you are certain of?—Yes.

7649. Mr. *Wrangham*.] That appears on your note?—It does.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Wrangham*.

John Corry.

7650. DID you serve a notice on John Farrell, of Turreen?—I did.

7651. When did you serve that notice?—The 18th of February.

7652. *Committee*.] Where?—In Turreen; I served it on him personally.

7653. Mr. *Wrangham*.] Did you at the same time view and value the land which he held?—I did.

7654. *Committee*.] Did you know John Farrell, of Turreen, before?—No, I did not.

7655. Was there any other John Farrell, of Turreen?—I do not think there was.

John Corry.

2 May 1837.

7656. Was it a single house or a village?—A single house.

7657. Mr. *Wrangham.*] What quality is the land?—It is some of the best description in that neighbourhood.

7658. Is it in the Callons?—It is.

7659. You have told us before, the greater part of that is very bad indeed?—Yes, the greater part is bad.

7660. This is of the best quality in that district?—I dare say it is.

7661. What is the value per acre which you think a solvent and responsible tenant could fairly afford to give for this land?—I have put 31 *s.* per acre on it, and I think that is a very high rent.

Cross-examined by Mr. *Thesiger.*

7662. That is on the average of the whole?—Yes; that is the way I have done it generally.

7663. Then can you tell us what the best part of the land would be worth?—That is for the very best.

7664. Then there is some worse than that?—I take it all on an average.

7665. You say the best is 31 *s.*; then there is some worse?—There is some worse.

7666. That is the lowest value?—I have not made a valuation in that way.

7667. You say this is the highest at 31 *s.*?—I have put the good and bad together.

7668. You say this is the highest value per acre, 31 *s.* for the best land?—Yes.

7669. And you cannot tell us what the value of the worst land is?—I could tell you what the worst land is; I valued some of it at 7 *s.* 6 *d.* an acre.

7670. Seven and sixpence and acre on this farm?—No, not on this farm.

7671. Be so good as to be communicative on this farm; what is the lowest value of this farm?—I have not viewed it in that way; I have taken every thing into account.

7672. Were you acquainted with this land before?—I was not.

7673. You only went for the purpose of valuing this particular land?—Yes.

7674. And for that purpose alone?—For that purpose alone.

7675. Never being acquainted with it before?—Never.

7676. How far do you live from it?—Nine miles from it.

7677. Were you a valuer of land?—Never before.

7678. Did you observe the house?—I did.

7679. Is it a bad house or a good house?—It is a middling good house.

7680. That I understand to be very good from your evidence, as it is against us?—I do not say it is very good.

7681. Are there offices?—I have no note of any office.

7682. Have you a note of a house?—I have.

7683. Just let me look at that note?—I will—[*handing it to the learned Counsel.*]

7684. Where did you make this?—On the land.

7685. Where do you find any note as to the house?—Here it is—[*pointing it out.*]

7686. After the 18th instant 1837, you put "fine house, good;" why do you call it middling good in your evidence before the Committee if you have put good in your note?—There are a great many better houses, and it is a middling good house in that neighbourhood.

7687. Why do you say, on your oath, it is a middling good house, when your note informs you that it is good?—It is a good house in a general way towards the generality of houses in that neighbourhood.

7688. Then do not qualify your praise; if it is a good house call it so, not a middling good house?—You may call it good if you like.

7689. Are there any offices?—I have no note of any offices.

7690. I do not mean your office of valuator, I know there is that office?—I do not know.

7691. Did you take any account of the value of that house to let it any better?—I did not.

7692. You excluded that from your calculation?—I took the house into account in valuing the land.

7693. You

John Corry.

2 May 1837.

7693. You took the house and land together, and valued it at 1 *l.* 11 *s.* per acre? —That is the way we in general did it.

7694. If you got such a house and land as this at 1 *l.* 11 *s.* per acre, I think you would be doing it?—I would not covet it at that money.

7695. Taking house and every thing together, you put it at 1 *l.* 11 *s.*?—I did.

7696. Never having valued the land before or seen the land before?—Never having valued it.

7697. And never having seen it?—Not to my knowledge.

7698. *Committee.*] Do you know what rent the tenant pays?—I do not.

Re-examined by Mr. *Wrangham.*

7699. You say you do not think the best part is worth 1 *l.* 11 *s.*?—I do not think the best part is worth more than that.

7700. There is some worse?—There is.

7701. And throwing in this house with the average value of the land, it brings the whole to 1 *l.* 11 *s.*?—Yes, it will bring the value in that way.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Thesiger.*

Thomas Bracken.

7702. DO you know the land which is held by John Farrell, of Turreen?—I do.

7703. Do you know it well?—I do; I walked over it very carefully.

7704. Is it good or bad land?—It is very prime land.

7705. Is there a good house on it?—The best I met with, except two more in that parish.

7706. You saw only two more that were better than this?—About the same class.

7707. Besides the dwelling-house, are there offices of a good description?—There are; there is one house which makes a stable and cowhouse.

7708. For the moment, leaving the house out of consideration, what do you consider the lands themselves would be fairly let for, do you consider a tenant would give 10*l.* a year, a solvent and responsible tenant, beyond what the man pays?—That is without taking the house into consideration.

7709. Just take the valuation in the way you have made it, and tell us what is your estimate of the value?—From the high cultivation he has the land in, and the state he has it improved, I think it is worth 50 *s.*

7710. *Committee.*] Do you know what he pays?—I do, and I will tell you in a moment; 20 *l.* 16 *s.* 4 *d.* is what he pays.

7711. Did you know that before you made your valuation?—I did not.

7712. What did you value it at?—Fifty shillings per acre.

7713. Mr. *Thesiger.*] Is that with the house?—No, taking the farm as it stands; he had a large quantity of gravel ready for manure, and a large quantity of bog stuff, and he had it in the best state of cultivation of any farm I met with.

7714. Do you believe, having regard to the state of cultivation, and to the advantages which the farm possesses, and particularly from the house on it, that it is worth 50 *s.* an acre?—I do.

7715. Do you think you could find any difficulty in getting a tenant for it at that rent?—I think not.

Cross-examined by Mr. *Wrangham.*

7716. When did you make that note?—In the month of February.

7717. But when?—On the 4th day of February.

7718. Just let me look at it for one moment; did you write it at the time you made the valuation?—I did.

7719. You wrote it at the time you made your valuation?—Yes.

7720. You said just now you did not know the rent he paid?—That is not what I said;

Thomas Bracken.

2 May 1837.

I said; I said I first looked at the land, and valued it at 50 *s.* before I knew the rent.

7721. Before you made the entry in your book, you knew the rent?—I first looked over the land.

7722. Before you made the entry you knew the rent?—Yes, before I made the entry in the book, I valued it at 50 *s.* an acre.

7723. You made the entry in the book after you valued it?—I first valued it, and then I went into the house to know the rent and see the lease.

7724. I ask you again whether it was not before you made that entry which you now refresh your memory with that you were aware what rent the voter was liable to?—It was before I wrote that.

7725. Then you swear that those words, 2 *l.* 10 *s.*, at the bottom, were written at the same time as the rest?—Yes; I was putting it in the body of the note, and afterwards I referred to the end.

7726. When did you write that at the end?—On the 4th day of February.

7727. At the same time that you wrote the rest of the memorandum?—Yes; when I came as far as that, I crossed out that.

7728. This is in the Callows, is it?—It is in the parish of Cashel.

7729. Is it, or is it not, what is called the Callows?—I cannot exactly say.

7730. Do you mean to tell the Committee you do not know that the parish of Cashel is in what you call the Callows?—I consider the parishes of Newton and Cashel are in the Callows.

7731. Is not this in the parish of Cashel?—No, it is in the parish of Rathcline.

7732. Are you still prepared to say you do not know the parish of Rathcline is in the district of the Callows?—It is not in the district of the Callows.

7733. Is it in the district which is known by the name of the Callows?—I do not think it is.

7734. You still take on yourself to say that?—It is not, according to my opinion.

7735. *Committee.*] Do you know any land in the Callows let at 2 *l.* an acre?—I do; I know lands in the Callows let at two guineas an acre.

7736. Mention them?—Lands that belong to Mr. Davis; Newpark, they call it.

7737. Is not that on a third letting?—Yes.

7738. Then the highest you know in the Callows is two guineas on a third letting?—Yes.

7739. Is Newpark in the Callows?—Yes, it is in the parish of Cashel; there is part of the land of Rathcline let at three guineas an acre.

7740. Is that on a third letting?—No, direct from the landlord.

7741. Who has that land?—Mr. Costello.

7742. Mr. *Wrangham.*] Tell the Committee where that is?—It is three quarters of a mile from the land in question.

7743. How much is it?—I do not know exactly; 12 or 13 acres.

7744. There will be as much as that?—I think there is; I cannot be positive.

7745. Is there a house on it?—No.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of John Farrell be struck off the poll."

Mercurii, 3° die Maii, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Members were called over; all present.

Mr. *Whitesides.*] The first vote we object to is the vote of Bernard M'Gennis; 153 on the list, and 2 on the poll.

Mr. *John V. Crawford*, sworn.

Examined by Mr. *Whitesides.*

Mr. *John V. Crawford.*

3 May 1837.

7746. DO you produce the affidavit of registry of Bernard M'Gennis, of Coolaherty?—I do.

[*The following Document was then handed in:*]

Leasehold. Residue of 60 Years and £.10. Residue of 14 Years and £.20. County.

OATH of a LEASEHOLDER registering a Leasehold of the Value of Pounds in a County, pursuant to 2 & 3 Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d and 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, for that purpose appointed, I, Bernard M'Gennis, of Coolaherty, in the county of Longford, do swear, That I do now hold the houses and land, situate, lying and being at Coolaherty, under a lease bearing date the 13th day of October, in the year 1787, by and between Robert Beaty, of Springparth, in said county, and Thomas M'Gennis, of Springparth, in said county; and that such leasehold is now of the clear yearly value of 10 *l.* over and above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses or rates, and cesses upon any townland or division of any parish or barony, and that the said leasehold does not arise from a rent-charge, and that I have not accepted or procured the said leasehold fraudulently, nor in exchange for any freehold or leasehold in any other county, city or town. So help me GOD.

Sworn and subscribed before me, in open Court, this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

his
Bernard + *M'Gennis.*
mark.

Truly read by me,
Michael M'Guin.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Bernard M'Gennis, of Coolaherty, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a leasehold of the yearly value of 10 *l.*, situate at Coolaherty, barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
Certificate, No. 990. *John V. Crawford*, Clerk of the Peace.

James Ganly, sworn.

Examined by Mr. *Whitesides.*

James Ganly.

7747. WERE you present when Bernard M'Gennis, of Coolaherty, came up to be registered?—Yes.

7748. Was he objected to on the ground of value?—Yes.

7749. State what number of acres he swore he had, and what rent he paid?—Six acres and a half in his own possession.

7750. What rent?—Three pounds one shilling and sixpence.

James Ganly.

3 May 1837.

Cross-examined by Mr. *Robinson.*

7751. Were you present when he was objected to?—I was; I wrote it down myself.

[*The Witness was ordered to withdraw.*]

John Armstrong, sworn.

Examined by Mr. *Whitesides.*

John Armstrong.

7752. DID you serve on Bernard M'Gennis a notice to produce his lease?—I did.

7753. When did you serve him?—On the 17th of February, for the 28th.

7754. How did you serve him?—I went to his house.

7755. In his own house?—Yes.

7756. On the land?—Yes.

Cross-examined by Mr. *Robinson.*

7757. Do you know the man well?—Well.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson.*] I do not mean to call any evidence in support of this vote.

The Committee came to the following resolution:—

"That the vote of Bernard M'Gennis be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of John Tuite; 3 on the poll, 183 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *John V. Crawford.*

7758. DO you produce the affidavit of registry of John Tuite?—Yes.

[*The following Document was then handed in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. cap. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, John Tuite, of Cloonagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold thereon arising from house and land of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Cloonagh and barony of Granard, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 21st June 1825, and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them, nor do I intend to let the same or any part thereof to such person or persons or any of them, and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Tuite.

Sworn and subscribed before me, in open Court, this 22d day of October 1832,

J. F. Fosbery, Deputy Assistant Barrister.

Truly read for John Tuite, by me,
M. H. Coffey.

ENTRY of CERTIFICATE of REGISTRY.

Mr. *John V. Crawford.*

County of Longford.

THIS is to certify, That John Tuite, of Cloonagh, farmer, of this county, was this day duly registered before me, a voter for this county, in right of a freehold of the yearly value of 10*l.* situate at Cloonagh and barony of Granard, in this county. 3 May 1837.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
Certificate, No. 1,013.—Pd. *Flood.* *John V. Crawford*, Clerk of the Peace.

George Gardiner, sworn.

Examined by Mr. *Whitesides.*

George Gardiner.

7759. WERE you present when James Tuite came up to be registered?—I was.

7760. Was he objected to on the ground of undervalue?—He was.

7761. Have you a note of it?—Yes.

7762. When was it?—At the reform registry.

7763. What number of acres did he swear out of?—Ten and a half; the rent 12*l.* 4*s.* 6*d.*

7764. How much is that per acre?—One pound three shillings and sixpence.

7765. *Committee.*] Is that the whole of your note?—No; says he pays 16*s.* cess.

7766. Is that all?—That is all.

7767. Mr. *Robinson.*] Was he examined as to the value?—He was.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

7768. DID you serve a notice on John Tuite?—I did.

7769. When did you serve it?—On the 15th of February.

7770. How did you serve it?—In person.

Cross-examined by Mr. *Robinson.*

7771. I suppose you know John Tuite?—Well.

[*The Witness was ordered to withdraw.*]

Andrew Brock, sworn.

Examined by Mr. *Whitesides.*

Andrew Brock.

7772. DID you accompany Wilson to examine the farm of one John Tuite?—I did.

7773. Tell the Committee what kind of farm it is?—It is a very wet unprofitable mountainy ground.

7774. Is there a house on it?—Yes.

7775. What kind of a house?—A very poor miserable house.

7776. Any offices?—I did not see any.

7777. Taking the whole into consideration, including every thing, what do you think is the highest rent which a solvent tenant could afford to pay fo this land?—I consider that the very highest rent a solvent tenant could pay for this land is 30*s.* an Irish acre.

7778 Is that what you believe to be the highest rent that would be got for this land?—That I consider is the very highest.

Cross-examined by Mr. *Robinson.*

7779. Was it in February you visited it?—Yes.

7780. That was very wet weather?—Yes, I believe it was.

7781. How long were you examining this unprofitable farm?—Quite long enough to ascertain the quality of it.

7782. How long was it?—I had known it a long time before.

7783. How long were you examining it?—I think I was an hour; it was a very small farm.

Andrew Brock.

3 May 1837.

7784. Did you see how near it was to the town of Granard?—I did.

7785. How near is it?—About five miles.

7786. Is that a good market-town?—A very good market-town.

7787. Is this holding of John Tuite together or divided?—It appears to be divided.

7788. Is this in the barony of Granard?—Yes.

7789. Were you brought up to the business of valuing land?—I was, so far as to study it; I was not brought up to it particularly; from my experience, I consider I have a full knowledge of land.

7790. You have been in the army, I believe?—No; in the militia.

7791. When did you first take to valuing land?—I am 20 years out of the militia, and since then I have turned my whole attention to the cultivation of land.

7792. Have you been an occupier of land all that time?—I have occupied ground.

7793. Have you valued ground for other people?—I have, and set ground.

7794. *Committee.*] What sort of a house is there on this?—A very poor cabin.

7795. Do you know any land adjoining this let higher than 1*l.* 12*s.* an acre?—I do not.

7796. Do you know land near it, of the same quality, which is let at 1*l.* 10*s.*?—I do not exactly know there are any near this district let so high as 1*l.* 10*s.*

7797. Mr. *Robinson.*] Do you know what land does let for, from your own knowledge, in that district?—I do, in several parts of the country.

7798. But about Granard, near this farm?—Granard is five miles from the farm.

7799. Near this farm of John Tuite, do you know, of your own knowledge, what is paid for land on that?—I do not.

7800. Do you know any that lets for 2*l.* an acre?—None.

7801. Do you know any land in that neighbourhood, except this particular farm?—

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is my case.

Peter Daly, sworn.

Examined by Mr. *Robinson.*

Peter Daly.

7802. DO you know the land of John Tuite, of Coolaherty?—I do.

7803. Do you know it well?—I do; I could not go to a farm I have adjoining it without going by it, and I cannot draw my turf without drawing it through John Tuite's land.

7804. Have you known it long?—I have.

7805. When did you go over it for the purpose of valuing it?—In the month of February last.

7806. What do you say it is worth by the acre, taking in the house and every thing that is there?—The houses and offices that are on it are well worth the franchise.

7807. Tell us in figures?—The land is worth 2*l.* an acre.

7808. *Committee.*] What do you mean by the house and offices being well worth the franchise?—I mean it is worth 10*l.*

7809. But it must be worth more to be worth the franchise; it must be worth 20*l.*?—They are well worth 10*l.* a year.

7810. You do not mean 10*l.* above the rent?—No, I do not mean that.

7811. How much would they cost building?—I think it would cost near 200*l.* to build that house and offices; it is as good as the house I live in myself.

7812. What did your house cost you?—I think 200*l.* did not build my house, and his is a better one.

7813. How high is the house; are there two stories?—There are not two stories.

7814. How many feet high is it?—I think about 9 or 10 feet.

7815. How long?—I suppose 60 feet long, or more.

7816. What is it built of?—Stone and lime.

7817. Is

7817. Is it slated?—No.

7818. Thatched?—Yes, thatched.

7819. You cannot mean 200 *l.*?—Yes, I do.

7820. Is it a much better house than others in the neighbourhood?—It is the best house in that neighbourhood.

7821. How many rooms are there in that house?—There are five apartments in it; there is a kitchen, and two rooms on one side of the kitchen, and two at the other end of the house.

7822. It is a ground floor, I suppose?—It is.

7823. As you built a house like that, perhaps you can tell us some of the items; how much would the stone cost, and the lime, and how much for the wood?—A barrel of lime would cost about a shilling; this man is in the habit of burning lime for sale.

7824. How much would you allow for stone and wood?—I think it would take a barrel of lime to build a perch.

7825. How much altogether?—Unless I calculated the whole, I could not exactly tell you.

7826. Perhaps you can make the calculation by and by?—I could do so; I think it would be tedious.

7827. Is this cottage floored?—It is a ground floor.

7828. What do you mean by a ground floor; do you mean mud or earth?—There is part of it made of lime.

7829. How high is the house?—I think about 9 or 10 feet.

7830. Did you ever hear of a house being built for 5 *l.*?—I have; and I have seen a house built for less than 5 *l.*

7831. Mr. *Robinson.*] What did your own house cost you?—I think it cost me near 200 *l.* to build house and offices.

7832. When was that?—Within 15 years.

7833. Taking into consideration the house on the land, what do you say would be a fair rent for a solvent tenant to pay for that house and land?—I valued them separate.

7834. How did you value them?—I valued the house and offices at 10 *l.*, and the land at 2 *l.* an acre.

7835. *Committee.*] Is it usual, when you value farms, to value the house by itself alone?—I have done it in every case.

7836. Is it usual between landlord and tenant?—It is a very common thing for a tenant in Ireland to take the land from the landlord, and, in some cases, to set the land by itself, and to set the house by itself.

7837. Where you value a farm, do you value it altogether, or do you value first the land and then the house?—I have done so.

7838. Is it usual?—I cannot account for what other men do.

7839. Do you mean to say any man would give 10 *l.* for living in that house; that any person, independent of the land, would give 10 *l.* to live in the house?—I think, with the house and offices, and the garden, and a place to plant a few cabbages, they would.

7840. Do you know how many acres he has on his farm?—I think I do; the farms in that townland are all about the same size.

7841. How much land has he?—I think about 9 or 10 acres.

7842. How much should you add an acre for the house?—I do not add any thing.

7843. You have added a pound an acre?—No, I have valued them separately.

7844. Nobody has valued houses at more than 5 *s.* an acre as yet?—The things will always get more separate than when let together.

7845. Mr. *Robinson.*] Now, comparing this house with your own, which is the better?—I think it is full as good a house as mine,

7846. Are you correct in saying yours cost 200 *l.*?—I think it did; but not merely the house; the offices, and the enclosing of the yard.

7847. What is this house, and what are the outhouses built of?—Stone and lime.

7848. Are they in good condition?—They are in the best possible condition.

[*The Witness was ordered to withdraw.*]

3 May 1837.

The Committee came to the resolution, that the vote of John Tuite be struck off the poll.

Mr. *Whitesides.*] The next vote we object to is the vote of Patrick M'Cormick; 155 on the list, 166 on the poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

Mr. *John V. Crawford.*

7849. DO you produce the affidavit of registry of Patrick M'Cormick?—I do.

[*The following Document was handed in:*].

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, Patrick M'Cormick, of Loughall, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Longford, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 10th day of January in the year 1807; and save that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Pat. M'Cormick.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick M'Cormick, of Loughall, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Loughall, in the barony of Granard, in this county. Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.

Certificate, No. 984.
Flood.

John V. Crawford,
Clerk of the Peace.

James Ganly, called.

Examined by Mr. *Whitesides.*

John Ganly.

7850. WERE you present when Patrick M'Cormick came up to be registered?—Yes.

7851. Was he objected to on the ground of value?—He was.

7852. *Committee.*] Which Patrick M'Cormick is this?—Patrick M'Cormick of Loughall.

7853. In what barony?—I do not know the barony.

7854. Mr. *Whitesides.*] Was he objected to on the ground of value?—He was.

7855. What number of acres did he state, and what was the rent?—He swore he held, under two leases, 11 acres 2 roods 36 perches, at 18 *l.* 9 *s.* 3 *d.* rent.

7856. Is

John Ganly.
3 May 1837.

7856. Is there any thing more in the note?—Yes, there are a great many things in the note.

7857. Then read the whole?—"One lease made to himself, the tree to his brother; paid a fine for his brother's lease, and shared the land and gravel; his father had the remainder of the same land for 40 *s.* freehold; widow owed 10 *l.*, which claimant paid, and had the lease surrendered to him, but not legally, from the counsel; you give 20 *l.* a year for five acres; thinks he could not afterwards give up lease to landlord, and landlord gave same lease to him, he paying the debt:" that is the whole of it.

Cross-examined by Mr. *Robinson.*

7858. Was there a discussion as to value?—There was.

7859. This is in your handwriting?—It is.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong

7860. DID you serve a notice on Patrick M'Cormick of Loughall?—Yes.

7861. When did you serve it?—On the 17th, for the 28th.

7862. Do you know the man?—Well.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides.*

Andrew Brock.

7863. I UNDERSTAND you have land near Patrick M'Cormick's of Loughall?—The other side of the ditch.

7864. State, from your own knowledge, having land close to his land, what is the highest rent which, in your judgment and from your experience, you think a solvent tenantcould pay for land in this place?—I think the very highest rent a solvent tenant could pay would be 32*s.* an acre.

7865. Is there a house on this farm?—A cabin.

7866. What would be the cost of building a house on this farm, do you think?—I think such a house could be built from 8 *l.* to 10 *l.*; house, offices and all.

7867. *Committee.*] Is this a better or a worse house than the last house?—A worse house.

7868. I may ask what you consider would be the cost of building John Tuite's house; do you know his house well?—I do; I was in the house with him.

7869. How much would such a house be built for?—I consider 5 *l.* would build the house; it is built of mere stone, without mortar.

7870. Do you think that it is possible it would cost 200 *l.*?—I could not think it for a moment possible that such an idea could enter into the mind of any body.

7871. *Committee.*] Do you know Peter Daly?—Yes.

7872. Do you know his house?—I do.

7873. Do you think you can give an opinion what this house cost which Peter Daly lives in?—It is a house in which the priest lived; and there may have been more pains taken with it than is usually taken with houses of this character; there may have been more done; I was not inside; therefore, I can only say from the appearance of the outside; I should think about 15 *l.*; certainly under 20 *l.*

7874. What sort of a house is Daly's?—I think the walls are about eight or nine feet high.

7875. Is it a thatched house?—It is a thatched house.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Patrick M'Cormick be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of James M'Cabe; No. 412 on the poll, 159 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whiteside*.

Mr. *John V. Crawford.*

3 May 1837.

7876. DO you produce the affidavit of registry of James M'Cabe?—I do.

[*The following Document was then handed in:*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose, I, James M'Cabe, of Aughanoran, farmer, in the county of Longford, do swear, That I am a freeholder in the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent-charge payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townlands or division of any parish or barony lying and being at Aughanoran and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 21st day of October in the year 1796; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
James + M'Cabe.
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832,

J. F. Fosbery, Deputy Assistant Barrister.

Truly read by me,
Thomas Pettit.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That James M'Cabe, of Aughanoran, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Aughanoran and barony of Granard, in this county. Dated this 22d day of October 1832, at Longford.

Certificate No. 948,
P^d *Flood.*

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

George Gardiner, sworn.

Examined by Mr. *Whitesides.*

George Gardiner.

7877. WERE you present when James M'Cabe came up to be registered?—I was.

7878. When was he registered?—At the reform registry.

7879. Was he objected to on the ground of value?—He was.

7880. What number of acres did he swear he held?—Thirteen acres.

7881. What rent did he swear he paid for that?—Eighteen shillings Irish currency, about 16*s.* 8*d.* per acre; yearly rent 10*l.* 16*s.*

7882. Is that 18*s.* English or Irish?—Irish currency.

7883. Mr. *Austin.*] Is that 10*l.* 16*s.* Irish or English?—That is English; it would have been 11 *l.* 14*s.* Irish.

7884. Give me your memorandum, will you?—I will.

7885. Just read the whole of your note, if you please?—"He pays 16*s.* cess; says that Bryan Curran pays 36*s.* per acre, and his land is better; admitted."

7886. M'Cabe's land is better?—Yes.

7887. *Committee.*] That is the whole note?—Yes.
7888. You have no account of the term for which the lease was?—No; the term was for lives.

George Gardiner
3 May 1837.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

7889. DID you serve a notice on John M'Cabe, of Aughanoran?—I pasted it on the door.
7890. Was that the place where you was attacked while in the act of serving the notice?—I was attacked.
7891. Did you paste the notice on the door?—I did paste the notice on the door; there was, I believe, the man's son engaged in cleaning down manure from the cabin door, and he threatened to split me open with a shovel.
7892. *Committee.*] Did the son see you paste it on the door?—He did.
7893. He was by, was he?—He was.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, sworn.

Examined by Mr. *Whitesides.*

Jacob Wiggins.

7893* I THINK you told us already you are the agent of Major Blackall, and that you valued his estates in Longford?—To Sam. Blackall I am.
7894. Did you examine the farm of James M'Cabe, of ————?—I did.
7895. State in what condition, what kind of land is it?—The upland is of a mountainy description.
7896. What, according to your judgment, is the highest rent a solvent tenant can pay for it by the acre?—Twenty-two shillings.
7897. That is the best rent you think a man can pay for it?—Yes.
7898. Is there a house on it?—There is a cabin.
7899. What would be the cost of building that cabin, according to your judgment of these matters?—About 5*l.* or 6*l.*
7900. *Committee.*] You say the uplands were mountainy?—Yes.
7901. What were the low lands?—They were of a very bad description, and cannot be tilled, from being so subject to water; they run very low to a lake.

Cross-examined by Mr. *Austin.*

7902. What is the nature of this cabin?—It is built with stone and clay.
7903. How high, how many stories?—About seven feet; that is the usual height of the cabins.
7904. Do you recollect this cabin particularly?—I do recollect it.
7905. You have it now in your recollection?—I have.
7906. How many rooms are there in it?—I was not inside of it.
7907. Have you ever built a cabin of that description yourself?—I have.
7908. On what property?—On the farm I hold; and I got one last spring built for Mr. Blackall.
7909. How many rooms were there in it?—There was a kitchen, and two rooms.
7910. How long did it take to build that cottage, that cabin?—Where cottages are built of clay, they cannot do it in a moment, because they put in about 18 inches at a time.
7911. That is no answer; was it built of clay, or built of stone?—It was built in three months; the foundation was stone, and the rest clay.
7912. How is the cottage of M'Cabe built?—Part of it stone, and part clay.
7913. How much stone?—More stone than clay.
7914. It is not built in the way, in the same fashion as the cottage which you have described?—It is, with the exception that there is more of one article than the other.
7915. That is to say, there is more stone?—Yes.
7916. I suppose you do not mean to say a cottage built of stone is not a more valuable thing than a cottage built of mud?—I do not think that; in general they build it dry, and they do not put lime and sand in it.

Jacob Wiggins.

3 May 1837.

7917. Do you mean to say, however it is constructed, a stone cabin is not a more valuable cabin than a mud one?—Where stone is easily got, it is built with as little expense as clay; a great deal depends on that.

7918. Have you ever built a cabin in this neighbourhood yourself, in the neighbourhood of M'Cabe's cabin?—No, never.

7919. Then you can give no account of the mode in which a cabin of that sort is built, how long it takes, or what the cost is; can you give any account, from your personal knowledge, of the time it takes to build it, and the expense of building it?—It depends on the number of hands employed.

7920. So I suppose; but can you give any account from your own knowledge?—It may be built in a month.

7921. Did you ever build one yourself?—I have got them built.

7922. In the neighbourhood of M'Cabe?—No.

7923. Then, from your own experience, you can give no account of the cost and the length of time which would be necessary for building a cabin of that sort?—I have built cabins where I live.

7924. Have you or have you not had any personal experience as to the time and cost required for building a cabin in that place?—Not in that place.

4925. Do you recollect Patrick M'Cormick's cabin, or cottage, or whatever it was?—There is a man of the name of Patrick M'Cormick.

7926. Have you now that cottage in your recollection at this moment when you are speaking of it?—Does M'Cormick live in Aughnacross; it is a blacksmith.

7927. Do you know Patrick M'Cormick of Loughall?—I know the land in that neighbourhood.

7928. Do you know one Patrick M'Cormick at that place?—That is, I suppose, six miles from here.

7929. Answer the question; do you know Patrick M'Cormick of this place?—I do, I recollect it.

7930. You recollect his cottage?—I do.

7931. Have you it at this moment in your recollection?—I have.

7932. Were there any offices to it?—There are.

7933. What offices?—Two or three little houses altogether.

7934. Pray what is the house itself made of?—Of stone.

7935. And the offices, what are they built of?—Of stone.

7936. Did you happen to go inside M'Cormick's place?—Never, though I passed it by five or six times a year.

7937. But you do not know what accommodation there is inside?—I do not.

7938. Can you undertake to speak as to the cost and time of building a house like M'Cormick's at that place?—I think M'Cormick's house and offices could be built for 10 *l.* or 12 *l.*

7939. Can you speak of your own experience?—Of course I can.

7940. Do you know Peter Daly's house at Clooneen?—I cannot recollect; where does he live?

7941. At Clooneen, where the priest did live?—I cannot recollect.

7942. *Committee.*] Do you know Peter Daly's house?—I cannot recollect.

7943. Mr. *Austin.*] Do you know John Tinte's?—Yes.

Examined by the *Committee.*

7944. What sort of a house would you build in Ireland for 300 *l.*?—I am at this moment getting a house built that will cost 200 *l.*

7945. What sort of a house is that?—It consists of six apartments; the three under apartments will be three rooms of about 15 feet square; one of them will be 15 feet square, the other two will be 15 feet by 12; it will be cottage-like in the front, and two stories in the rear.

7946. What is it built of?—Stone and lime, and brick in the cross wall and the inner parts.

7947. And what is the roof?—Memel timber and slate.

7948. Are thatched cabins in general built of that sort of timber?—No, there is no foreign timber in thatched cabins, they are generally made of the wood of the plantations.

7949. Is it for a tenant of Mr. Blackall that house is being built?—It is.

7950. How much holding has he?—He has 35 acres.

7951. Are there any offices to be built to that house which are included in the

Jacob Wiggins.

3 May 1837.

the 200*l.*?—No, the house only; I have paid 140*l.* as yet, and there is no part of the inside done any thing to.

7952. Will there be a chimney to this house?—Two.

7953. What will they be built of?—Brick.

7954. What sort of windows?—The windows will be five feet by three.

7955. What will the height of this house be?—Eighteen feet in the rear and nine in the front.

7956. And you did all this for 200*l.*?—Yes.

7957. What will the cabins cost that you built in the spring?—They will cost about 5*l.* or 10*l.*, and it is 40 feet long.

7958. And how high?—Seven feet high, built with clay.

7959. How far is it from M'Cormick's where you built this cabin?—It is about nine miles distant.

[*The Witness was ordered to withdraw.*]

Peter Daly, called.

Examined by Mr. *Austin*.

Peter Daly.

7960. DO you know James M'Cabe, of Aughanoran?—I do.

7961. Now do you know the land he occupies there?—I do.

7962. Is there a house on it?—There is.

7963. Have you valued it?—Yes.

7964. Now tell the Committee what, in your opinion, that land is worth per acre?—I have no note of this man's farm; but there are four farms that were all in one, and they were divided by arbitration.

7965. Have you a note of the four?—I have a note of one of them; they are all the same.

7966. Let me look at that note, will you?—I will [*handing it to the learned Counsel*].

7967. It is the same as Brady's?—Yes.

7968. What, in your opinion, could a solvent tenant give for that land per acre?—I think he could give two guineas an acre for it; I have land on one side that, and am getting 2*l.* 6*s.* an acre for, and there is land on the other side going, I believe, at 2*l.* 5*s.*

7969. There is land on the other side going at that rate?—There is.

7970. *Committee.*] You are not the landlord of that which you let at that price; you are a middle man?—Yes.

7971. Mr. *Austin.*] You say two guineas an acre?—I do.

7972. And that land is going in the neighbourhood at 45*s.* per acre?—On one side of it.

7973. In your opinion is 22*s.* a fair price?—I mean 2*l.* 2*s.* is a fair price.

7974. *Committee.*] And that you let land of your own at 2*l.* 6*s.* at the side of it, as a middle man?—I do.

7975. Mr. *Austin.*] Then if any body has stated it is worth 22*s.* per acre, you entirely differ from him?—I do completely differ from him; it is some of the best land in that neighbourhood.

7976. I see you have got no minute in your book about the house, have you?—I have of Brady's house; and they are all the same in every respect.

7977. Now what kind of house is Brady's?—It is a very comfortable farm-house, and has a very comfortable sitting-room in it, with a comfortable grate, and a very nice chimney-board.

7978. Have you been in it?—I have.

7979. What is it built of?—Stone and lime.

7980. Is it thatched?—The houses are all thatched in that neighbourhood.

7981. Now what, in your opinion, would be the cost of building Brady's house?—They are all the same; I could not make any distinction between the houses; and as to the land, the land was divided by arbitration; I would not be able to make any distinction.

7982. We will take Brady for M'Cabe; what, in your opinion, would be the cost of building Brady's house?—I think it would cost beyond 70*l.* to get it built, his house and offices.

7983. You are acquainted with building houses in that neighbourhood?—I am.

Peter Daly.

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7984. How long does it take to build a house of that description?—That is in proportion to the number of hands to be employed.

7985. What would be the number of hands usually employed?—Generally two masons in building the stone-work, and one or two others to attend to it.

7986. Where do they come from?—They are to be had every one in the neighbourhood.

7987. In what way are the masons paid; are they paid by the perch, or how?—They are paid by the perch commonly.

7988. Do you know at what rate they are paid by the perch?—From 1*s.* 6*d.* to 2*s.* a perch, and board them; it is never under 2*s.* 6*d.* a perch when they are not boarded.

7989. Who does the other work; do the masons complete the whole building?—No; there are labourers, carpenters and thatchers employed in it.

7990. Where do they come from; are they also from the neighbourhood?—The labourers are.

7991. Are the carpenters and thatchers from the neighbourhood?—The thatchers are, too, from the neighbourhood; the carpenters may, perhaps, be brought some distance, and the glaziers from the town of Granard.

7992. And how far would that be from M'Cabe's house?—I think Granard is three miles and something better from M'Cabe's house.

7993. How is the carpenter's work paid for?—I am not so good a judge of carpenters' work as I am of masons'; it is generally by the job.

7994. And what would the glazier's charge be, have you any notion?—Yes, I have; a pane of glass, of about a foot square, or from that to 16 inches, is generally about 18*d.*; it is always between 14*d.* and 20*d.* for a pane of glass of about 12 inches by 14.

7995. What would the whole glaziering cost to the man from Granard?—I think it is three windows that is in his house in the front, and two small windows in the ends.

7996. How long would it take to do that?—It would not take long to do that for the glazier; the materials would be the most valuable; the time employed in putting it in would not be much.

7997. What would you say the whole of that would come to?—I think 3*l.* would pay for the glass altogether for the whole house.

7998. And including the labour?—Yes, the labour of the glazier; but there is the carpenter's labour for making the sashes.

7999. And 3*l.* would pay for the whole of the glazing; and do you mean for the putting it up?—I think it would.

8000. When you say the men are paid from 1*s.* 6*d.* to 2*s.* a perch, or 2*s.* 6*d.*, is that simply for the labour of the men, or do you include the material?—Only the labour of the men.

8001. Besides that, there is the material?—There is.

8002. There is the labour of the men, the carpenters, and the wood-work?—Yes.

8003. And the thatchers the same?—Yes.

8004. And, altogether, you put 70*l.* as the cost of the construction of such a house as that and the office?—I do not think it could be done for less, if it could be done for that.

8005. *Committee.*] How much did you value this house by the year?—I have a note of that.

8006. How much should you say?—I think it would be worth 7*l.* a year, or more.

8007. You mean it might be let to a tenant who had no holding of contiguous land?—The houses and offices would set for more than 7*l.* a year.

8008. That is from a man who has no holding of land in this neighbourhood?—It is a very comfortable house and offices.

8009. You set this much higher than you did John Tuite's house, because his house was to cost 200*l.* building, and you only put 10*l.* a year rent on that?—I cannot come to an exact account; but I think Brady's house and offices would set for that money, if not more.

8010. You have been asked, I understand, questions as to the cost of your own house?—Yes, that, I think, I will be able to satisfy the gentlemen about.

8011. In what way is your own house built?—It is about 40 feet long, and between

between 9 and 10 feet high; it is well lofted and sealed, and there is one apartment in it floored with wood.

8012. And how many windows are there in it?—There are two in the front, and one over the hall door, and one over the kitchen door; the one over the kitchen door gives light to the loft, and one in each end.

8013. Is there a fire-place?—There are three hearths in my house.

8014. How many chimnies, one or two?—There are two chimnies.

8015. Now, are there any offices to your house?—There are.

8016. What offices are they?—There is a range, car-house and dairy, I suppose about 40 feet long, or between that and 50; there is, besides that, a large barn and a stable.

8017. How many acres of land do you occupy with it?—Forty-one acres.

8018. *Committee.*] Do you know a house that Mr. Wiggins is building for Mr. Blackall now?—No, I do not think I do; but I think Mr. Wiggins lives in a house of Mr. Blackall's.

8019. I understand that Mr. Wiggins is building a house for 35 acres of land for Mr. Blackall, or for a tenant of his; do you know it?—I do not know it.

8020. You do not know it, you say?—I do not.

8021. But your own farm is 41 acres?—Yes.

8022. How far is your farm from Mr. Blackall's property?—I think it is four or five miles at least; I mean where my house is.

8023. What do I understand you to state you paid for building this house of your's on the 41 acres?—I think the house and offices cost me at least 200 *l.*, with the inclosing of the yard.

8024. *Committee.*] Did you build them all yourself?—My brother built a part of them; it was at a time when there was a lease taken out by my brother in trust for me.

8025. Mr. *Austin.*] They have all been built in your recollection?—Yes.

8026. Have you paid for them yourself; has the money come out of your pocket?—For what he built, the money came out of his pocket; there was a settlement between me and him, and what I built I paid for myself.

8027. In fact, what he built he paid for, and you bought of him?—I did.

8028. And you paid for the rest of the building?—Yes.

8029. And your calculation is, it cost you somewhere about 200 *l.*?—I think it did.

8030. What part had been built by your brother?—The shell of the dwelling-house had been built by my brother.

8031. Is that all that had been built by him?—There was a part of the offices.

8032. And the rest was completed by you?—Yes, and the house finished inside, and the yard was inclosed by me.

8033. You have given us the rates at which, in your opinion, a cottage might be built in that neighbourhood; was your house built after those rates?—The rates I have given you are much about the same as at the time this house of mine was built.

8034. What I asked you was, whether the building of your house cost the prices you have given us as being the prices at which cottages might be built in that neighbourhood, the 2 *s.* 6*d.* for the masons, and so on?—Any thing that is built by stone or lime, no matter whether it is a cottage or a castle.

8035. You paid for your house, I understood you to say, at those prices?—I did.

8036. Was it from the prices that you paid for the building of your own house that you now have given the Committee the prices which you think ought to be paid or charged for the building a cottage?—Certainly.

8037. Your house seems to have been built at different times; can you tell us how long altogether the house and offices were building?—The shell of my house was built in one year; it was built in a year or less, half a year.

8038. The house was not completed in the same year?—It was not.

8039. How long a time did it take, according to your recollection, to build the whole house and offices?—If the time was put altogether, I think it could have been built within four or five months, at all events, or perhaps less than four months; that is, in proportion to the hands employed on it.

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Cross-examined by Mr. *Whitesides*.

8040. Mr. Blackall has a large estate in that country?—I do not know the extent of his property.

8041. You know Mr. Wiggins is his agent?—Yes.

8042. Do you know the fact that Mr. Blackall has a large estate in Longford?—I do not know the extent of his property.

8043. Do you know that he has a large estate?—I know he has some property.

8044. Is it a large property?—I cannot tell you.

8045. Now, Mr. Daly, since you were in this room last, did any body prepare a calculation for you to give to this Committee when you would be called in again, and asked what sum it would require to build the several parts of a cottage?—No such thing; because I do not think a man in this house is better able to calculate the cost of building a house than I am myself.

8046. Do you swear that nobody has spoken to you about the mode in which that sum of 200*l.* could be made up?—No such thing.

8047. Did any body tell you that your testimony given in this room had excited surprise in the minds of the Committee?—No man told me any such thing.

8048. No man told you any such thing; that you swear?—No man told me the words you used.

8049. *Committee.*] Did any person tell you any thing directly or indirectly?—I heard some of the men who came in opposition to me, say, that it was considered I swore too much; that I set a greater value on a house than it was worth; that is what I understood from them.

8050. Mr. *Austin.*] From whom?—From the persons who came in opposition to me; and I think their reason for thinking so was, because they did not know the value of houses in Ireland.

8051. Mr. *Whitesides.*] From whom did you hear that by name; name the persons you heard that from?—I cannot name the persons.

8052. Did you hear that outside the door?—I did.

8053. From whom?—I cannot mention the persons; but it was amongst those people who stand at the door, who came in opposition to me.

8054. Who was examined to-day in opposition to you?—I cannot say.

8055. Do you not know there was but one person?—I cannot say that.

8056. Will you state, on your oath, from whom you have heard what you have already said you did hear?—I cannot answer it.

8057. *Committee.*] Was the observation to which you have alluded, addressed to you, or did you hear it?—I was standing amongst them; I do not think it was directly intended for me, it was rather to satisfy themselves.

8058. Was it addressed to you?—It was not.

8059. Mr. *Whitesides.*] Do you mean to tell the honourable Member that nobody spoke directly to you about the evidence you gave in this room?—I heard a buz among the people, but I did not know of any thing particular.

8060. Did any body speak directly to you, respecting the evidence you gave in this room the last time you were here?—Not at all, to my knowledge.

8061. Why do you use that word to your knowledge; do you believe, I ask you?—I believe no man did; I do not know whether they might have intended it to me.

8062. *Committee.*] You heard certain observations made with respect to your late testimony as to the value of that house about which you spoke, but whether they were made to you or to another you do not recollect?—I do not think they meant it for me.

8063. Had those remarks any influence on your mind so as to induce you to change your opinion as to the value?—No, nothing could make me change my opinion.

8064. Who lived in your house before you?—Nobody lived in it before me.

8065. How much did you, out of your own pocket, pay for the building of that house?—I could not exactly say, because the whole was paid for out of my pocket, though not in a direct way, to those who done the work.

8066. Mr. *Austin.*] How then?—Having money dealings with my brother.

8067. Mr. *Whitesides.*] I asked you how much money, how much cash did you pay?—I cannot exactly tell you; but it could not have been less than 200*l.*

Re-examined

Re-examined by Mr. *Austin*.

Peter Daly.

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8068. And that was settled on a balance of account between yourself and your brother?—It was.

8069. Are you certain that Tuite's house had offices?—Yes, they were very good offices.

8070. You are certain of that?—I am, because I was often in them.

8071. Mr. *Whitesides*.] Are they not in one line with the house?—They are not; they run parallel with the house.

Examined by the *Committee*.

8072. With respect to your house, are there two stories in it or not?—There are two stories in my house, though it is not a foot higher than Tuite's.

8073. Are there two stories in Tuite's?—There is, in a part of it.

8074. Do you mean a loft?—No.

8075. There are no rooms above, are there?—Yes, there are rooms over head.

8076. What is it, a hay-loft, or what?—It is a floor.

8077. You state in part of the house there is one room over another; that is to say, there is more than one room?—There is one room over the other.

8078. What is it, a bed-room or a store-room?—A bed-room.

8079. Has it got any windows in it?—A fine large window, about two feet and a half by five feet; it is a very fine large house; it was employed for a long time as a country shop, and it is in a good situation for it.

8080. You told us Tuite's house was from nine to ten feet high?—So it is, I think.

8081. Then how is there room in nine or ten feet to have a room up stairs?—The roof goes a good deal higher than that; the roof slants.

8082. It is a room in the roof like?—Yes, it is.

8083. Is your house slated?—No.

8084. Is Tuite's house slated?—It is not.

8085. What is the size of your rooms?—Twelve by twelve, I think, or thereabouts.

8086. In Tuite's house how many perches of building do you think there are of mason-work?—I think it is about 60 feet long, that is about three perches long and about 10 feet high.

8087. How much do you put down for masonry in your account?—If the man is boarded, he generally has 1*s.* 6*d.* a perch, and if he is not boarded, 2*s.* 6*d.*

8088. And sometimes, you say, they have 2*s.* where they are not boarded?—I think not.

8089. How much would you pay for the mason's work of that house?—Thirty perches, 30 half-crowns; that will make 3*l.* 15*s.* for the mason's work for one side-wall.

8090. And was it for that house you put 3*l.* for the glaziery?—No, the glazier's work in Tuite's house would cost a great deal more than that; the 2*s.* 6*d.* is put for the mason's work, and that does not include the materials.

8091. The materials are to be found on the farms, are they not?—I suppose he would have a mile to draw the limestone; he is in the habit of burning lime for sale; he would have a quarter of a mile to draw the turf, and I suppose he would have half a mile to draw the sand.

8091. And you think altogether it would cost 200*l.*?—I think it would; the house is as good as mine, and mine cost 200*l.*

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; and on counsel and agents being called in, they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of James M'Cabe be struck off the poll."

Mr. *Whitesides*.—The next is Thomas Magarahan; 161 on the list, 411 on the poll.

Mr. *John V. Crawford*, called.

Mr. *John V. Crawford.*

8092. Mr. *Whitesides*.] Do you produce the affidavit of Thomas Magarahan?—I do.

[*The following Document was then put in.*]

Mr. *John V. Crawford.*

3 May 1837.

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2d & 3d Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at Elections within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Thomas Magarahan, of Aughomoran, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear value of 10 *l.* above all rent and charges, payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Aughomoran and barony of Granard, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 21st day of October in the year 1796; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons or any of them, and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other city or town. So help me God.

Truly read to Thomas Macgarahan, by me,
M. H. Coffey.

his
Thomas ⋈ Macgaharan.
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832.
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY, County of Longford.

THIS is to certify, that Thomas Magarahan, of Aughomoran in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.* situate at Aughomoran, and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 949.—Paid, *Flood.*
Thomas Magarahan.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

8093. WERE you present when Thomas Magarahan came up to be registered?—I was.

8094. Was he objected to?—He was.

8095. On the ground of value?—Yes.

8096. What number of acres did he swear to, and what rent did he say he paid?—He produced the same joint lease as the last claimant, of 13 acres, at 18*s.* per acre.

8097. The same quantity and the same rent?—Yes, the same quantity and the same rent.

Cross-examined by Mr. *Robinson.*

8098. Were you present yourself?—I was.

8099. Did you see him come up?—I did.

8100. You heard him opposed on the ground of value?—I did.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

8101. DID you serve Thomas Magarahan to produce?—I did.

8102. When?—The 14th for the 28th.

8103. How did you serve him?—By placing the notice on the door.

8104. In the same way you served James M'Cabe?—Yes.

8105. Mr.

John Armstrong.

3 May 1837.

8105. Mr. *Robinson.*] How do you say you served Thomas Magarahan?—By sticking the notice on the door.

8106. What door?—His own door.

8107. Do they live in one house, or separate houses?—Separate houses.

8108. Did you try to get in?—I did.

8109. Did you knock?—I did.

8110. What time of day was it?—I think about one or two o'clock.

8111. Did you see anybody there?—No; except two boys that were after clearing the dung manure from the cabin-door.

8112. What did you do with the notice?—I nailed it on the door.

8113. Was the notice addressed to anybody at that place?—To the owner of the house.

8114. What was his name?—Thomas Magarahan.

8115. You could not get in at Magarahan's house?—No.

8116. How long did you stay there?—I think about half an hour; to the best of my knowledge there were three houses.

8117. Do you know Thomas Magarahan?—Not perfectly well; I have some knowledge of him.

8118. Did you know his name before?—Yes.

8119. If you had met him in the street before that time, should you have known him?—I do not doubt but I should.

[*The Witness was then ordered to withdraw.*]

The Committee came to the following resolution:—
"That the vote of Thomas Magarahan be struck off the poll."

Mr. *Whitesides.*] The next vote that we object to, is the vote of Patrick M'Cabe; 413 on the poll, and 163 on the list.

John V. Crawford, called.

Examined by Mr. *Whitesides.*

Mr. John V. Crawford.

8120. DO you produce the affidavit of registry of Patrick M'Cabe?—I do.

[*The following Document was then handed in.*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of his present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Patrick M'Cabe, of Aughanoran, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Aughanoran, and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 26th day of October in the year 1796; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Truly read for Patrick M'Cabe by me,
M. N. Coffey.

his
Patrick ⋈ M'Cabe,
mark.

Sworn and subscribed before me, in open Court,
this 22d day of October 1822, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Mr. *John V. Crawford.*

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

3 May 1837.

THIS is to certify, That Patrick M'Cabe, of Aughanoran, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Aughanoran and barony of Granard, in this county.

Dated this 22d day of October 1822, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 959.—*Flood.*

George Gardiner called.

Examined by Mr. *Whitesides.*

George Gardiner.

8121. WERE you present when Patrick M'Cabe came up to be registered?—I was.

8122. Was he objected to?—He was.

8123. On the ground of value?—Yes.

8124. What number of acres did he swear to, and what rent did he say he paid?—He produced the same joint lease as the last claimant of 13 acres, at 18 *s.* per acre.

8125. The same quantity and the same rent?—Yes, the same quantity and the same rent.

Cross-examined by Mr. *Robinson.*

8126. Were you present yourself?—I was.

8127. Did you see him come up?—I did.

8128. You heard him opposed on the ground of value?—I did.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

8129. DID you serve a notice on M'Cabe to produce?—I did.

8130. When did you serve him?—On the 14th of February for the 28th.

8131. How did you serve him?—By sticking it on the door.

8132. The same way as you served the former voter?—Yes.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Patrick M'Cabe be struck off the poll."

Mr. *Whitesides.*] Then the next vote, which is exactly like the two former ones, is the vote of Thomas Brady; 410 on the poll, 110 on the list.

Mr. *J. V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *John V. Crawford.*

8133 DO you produce the affidavit of registry of Thomas Brady?—I do.

[*The following ducument was then handed in*:]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Granard, in the county of Longford, on the 17th day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Thomas Brady, of Aughanoran, in the county of Longford, do swear, That I am a freeholder in the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only Parliamentary or public taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Aughanoran, parish of Cullimbkill, and barony of Granard, in the county of Longford; and that

that the said freehold does not arise from a rent-charge; and that the same arises by virtue of a lease bearing date 26th October 1796, and that I am in the actual occupation thereof by tilling and grazing; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God. Mr. *John V. Crawford.*

Sworn and subscribed before me, in open Court, this 17th day of October 1832. *Thomas Brady.*

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY, County of Longford.

THIS is to certify, that Thomas Brady, of Aughanoran, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Aughanoran, parish of Cullimbkill, and barony of Granard.

Dated this 17th day of October 1832, at Granard. *J. F. Fosbery,* Deputy Assistant Barrister. *John V. Crawford,* Clerk of the Peace.

Certificate 176.

John Armstrong, called.

Examined by Mr. *Whitesides.*

8134. DID you serve Thomas Brady with notice to produce?—I did; I served him personally. *John Armstrong.*

8135. Do you know Thomas Brady?—I do, well.

8136. When did you give him the notice?—On the 14th for the 28th.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

8137. WERE you present when Thomas Brady came up to be registered?—I was. *Arthur A. Griffiths.*

8138. Was he objected to on the ground of value?—He was.

8139. What number of acres did he swear out of?—Thirteen.

8140. What rent?—Sixteen shillings and eightpence halfpenny an acre, Irish currency.

Cross-examined by Mr. *Robinson.*

1141. What registration are you speaking of?—Of the 19th of October 1832.

8142. Before what registering barrister was he brought up?—Mr. Fosbery.

8143. Were you present before Mr. Fosbery?—I was.

8144. Did you see him come up?—I did.

8145. And you heard him opposed on the ground of value?—I did.

8146. Did you take the note yourself?—I did, while he was under examination.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Thomas Brady be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Patrick Brady, 82 on the poll, and 119 on the list.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whitesides.*

8147. DO you produce the affidavit of registry of Patrick Brady?—I do. Mr. *John V. Crawford.*

[*The following document was then handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled "An Act to amend the Representation of the People of Ireland," holden at Granard, in the county of Longford, on the 17th day of October in the year of our Lord 1832, by and before

Mr. *John V. Crawford.*

3 May 1837.

before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Patrick Brady, of Killeen, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, situate at Killeen, of the clear value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Killeen, parish of Granard and barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 5th day of June in the year 1812; and that I am in the actual occupation thereof by tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Truly read by me to the within-named Patrick Brady.
George Bentley.

his
Patrick ✕ *Brady,*
mark.

Sworn and subscribed before me, in open Court, this 17th day of October 1832.

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That Patrick Brady, of Killeen, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Killeen, parish of Granard, and barony of Ardagh, in this county.

Dated this 17th day of October 1832, at Granard.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 166.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

8148. Were you present when Patrick Brady came up to register?—I was.

8149. Was he opposed on the ground of value?—He was.

8150. Read your entry?—He swore he had six acres, for which he paid 1 *l.* 6 *s.* 7½ *d.* per acre; that it was a lease for lives, and he had one of the lives himself.

Cross-examined by Mr. *Robinson.*

8151. Did you take down the entry yourself?—Yes, I did.

8152. *Committee.*] What is the whole rent?—Eight pounds two shillings.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

8153. Did you serve a notice on Patrick Brady, of K ———, to produce his lease?—I served the notice on his wife in the house.

8154. When did you serve it?—On the 17th for the 28th.

Cross-examined by Mr. *Robinson.*

8155. How do you know it was Patrick Brady's house; did you know his wife?—I did; and hiswife told me he was very little obliged to them for bringing him out of his bed to vote for Mr. White.

8156. Did you know Patrick Brady?—I had a slight knowledge of him.

8157. Before you served the notice on him at all?—I dare say I have seen him.

8158. Should you have known him if you had met him in the street; should you have known Patrick Brady if you had met him in the street?—I could not say that; I had been to his house before to serve a notice.

8159. On election business?—Yes, on election business.

8160. Are you sure it was Patrick Brady's house?—Yes, I am.

Re-examined

Re-examined by Mr. *Whitesides.* — *John Armstrong.*

8161. And his wife said he was obliged to them?—Yes, for taking him out of a sick-bed to go to vote for Mr. White. — 3 May 1837.

[*Witness was ordered to withdraw.*]

Mr. *Robinson* stated he should call no evidence in support of the vote.

The Committee came to the following resolution:—
"That the vote of Patrick Brady be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Henry M'Givney; 185 on the poll, and 157 on the list.

John V. Crawford, called.

Examined by Mr. *Whitesides.*

8162. DO you produce the affidavit of registry of Henry M'Givney?—I do. — Mr. *John V. Crawford.*

[*The following document was then handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Henry M'Givney, of Friskell, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Friskell, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 23d day of October in the year 1832; and that I am in the occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Truly read by me, *Henry ⋈ M'Givney,*
Michael M'Gain. mark.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832. *J. Doherty,* Deputy Assistant Barrister.

ENTRY of CERTIFICATE of Registry, County of Longford.

THIS is to certify, that Henry M'Givney, of Friskell, in this county, farmer, was this day duly registered before me as a voter for this county in right of a freehold of the yearly value of 10*l.* at Friskell, barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford. *J. Doherty,* Deputy Assistant Barrister. *John V. Crawford,* Clerk of the Peace.

Certificate No. 989.—*Flood.*

George Gardiner, called.

Examined by Mr. *Whitesides.*

8163. WERE you present when Henry M'Givney, of the barony of Granard, came up to be registered?—I was. — *George Gardiner.*

8164. What quantity of acres did he swear outof?—He swore he had 10 acres 33 roods, for which he paid 28*l.* 18*s.* 10*d.* Irish.

8165. *Committee.*] Do you know how much that is per acre?—Something more than 2*l.*; it is two guineas.

George Gardiner.
3 May 1837.

8166. Mr. *Robinson.*] Were you there yourself?—I was.
8167. And saw him?—Yes, saw him.
[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

8168. DID you serve a notice on Henry M'Givney, of the barony of Granard?—Yes.
8169. When did you serve him?—On the 21st, in person.
8170. Mr. *Robinson.*] What day?—On the 11th of February for the 28th.
[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides.*

Andrew Brock.

8171. DID you examine Henry M'Givney's farm?—I did.
8172. Of Longhill, in the barony of Granard?—Yes.
8173. Do you know it pretty well?—Very well.
8174. Is it far from you?—Two miles.
8175. Now, including the house and every thing upon it, what do you think a solvent tenant could afford to pay for it an acre?—I think the highest rent a solvent tenant could pay for such land is 2 *l.* an acre.
8176. Do you include every thing in it?—Yes; I include the house and offices.
8177. You include every thing?—Every thing is included in it.

Cross-examined by Mr. *Robinson.*

8178. You think the highest rent he could give for it is 2 *l.* an acre?—Yes; I know better land on the other side which is let for 38 *s.*
8179. Do you know what Mr. Barber pays for his land adjoining?—Thirty-eight shillings he pays.
8180. How do you know that?—Mr. Barber told me.
8181. When?—I cannot exactly say how long ago.
8182. Can you tell us; do you mean that for the place he lives in he pays 38 *s.*?—Mr. Barber does not live on that ground; it is better ground he lives on.
8183. Do you know what he pays for the land he lives on?—I believe he pays very high; he took it at the highest war-time prices; it was merely for his residence.
8184. Mr. *Whiteside.*] Is he a gentleman?—He is.
[*The Witness was ordered to withdraw.*]

Mr. *Robinson.*] I cannot maintain this vote.

The Committee came to the resolution, that the vote of Henry M'Givney be struck off the poll.

Mr. *Whiteside.*] The next vote we object to is the vote of *Matthew M'Gurk,* 152 on the list, 399 on the second day's poll.

Mr. *John V. Crawford,* called.

Examined by Mr. *Whiteside.*

Mr. *John V. Crawford.*

8185. DO you produce the affidavit of registry of Matthew M'Gurk?—I do

[*The following document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at Elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Matthew M'Gurk, of Friskell, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only

3 May 1837.

only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Tuskill and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of November, in the year 1831; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Matthew M'Gurk.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That Mathew M'Gurk, of Triskill, of this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Triskill, and barony Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosberry, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 951.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

8186. WERE you present when Matthew M'Gurk came up to be registered?—I was.

8187. Was he objected to on the ground of value?—He was.

8188. What was the number of acres he swore out of?—Twelve acres; rent 20 *l.*; 33 *s.* 4 *d.* per acre.

8189. *Committee.*] Is that British or Irish?—It does not state; I should think it was Irish; he said he had the land eight or nine years before, at 32 *s.* an acre.

Cross-examined by Mr. *Robinson*.

8190. The note does not enable you to say whether it is English or Irish?—No.

8191. Were you present when the man came up?—I was.

[*The Witness was ordered to withdraw*]

John Armstrong, called.

Examined by Mr. *Whitesides*.

John Armstrong.

8192. DID you serve the notice on Matthew M'Gurk?—I did.

8193. On whom did you serve the notice?—On a girl in the house.

8194. What day?—On the 21st.

8195. For what day?—For the 28th of February.

Cross-examined by Mr. *Robinson*.

8196. How do you know M'Gurk's house?—M'Coy was with me, to show me the house; I had been there before, to serve the notices for the petitioner.

8197. Who told you it was his house when you served the notice before?—I cannot remember who was with me.

8198. Did you go there, except to serve notices?—Never.

8199. Do you know any thing about it, except what some people told you, that you did on one occasion go to that house which you were told was M'Gurk's house?—It was pointed out to me at different times.

8200. Who pointed it out to you?—M'Coy pointed it out to me.

8201. You do not know it yourself, but it was pointed out to you?—I partly knew it.

John Armstrong.

3 May 1837.

8202. How did you know it?—I had been there before.

8203. You never went there, except to serve notices?—Never.

8204. Who told you it was Matthew M'Gurk's house when you first served the notices?—I think it was Matthews, the process server.

Re-examined by Mr. *Whitesides.*

8205. You say that you had served notices there before?—Yes.

8206. Have you any doubt that it is the right place?—Not the slightest.

8207. You had been several times?—Once before.

8208. On the former petition?—Yes.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides.*

Andrew Brock.

8209. DO you know M'Gurk's farm, in the barony of Granard?—I do.

8210. Did you examine it?—I did.

8211. Is there a house on it?—No.

8212. What is the highest rent which a solvent tenant could afford to pay for it?—I consider the land would let for 32*s.* an acre.

Mr. *Robinson.*] I have no evidence to produce in support of the vote.

The Committee came to the following resolution:—

"That the vote of Matthew M'Gurk be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Bryan Tracy; 181 on the list, 244 on the poll of the second day.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *John V. Crawford.*

8213. DO you produce the affidavit of registry of Bryan Tracy?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, Bryan Tracy, of Ballymore, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Ballymore and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 19th day of December 1827; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let the same for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Bryan ⋈ Tracy.
mark

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

Truly read for Bryan Tracy by me,
M. N. Coffey.

ENTRY of CERTIFICATE of REGISTRY. 3 May 1837.

County of Longford.

THIS is to certify, That Bryan Tracy, of Ballymore, farmer, of this county, was this day duly registered before me as a voter for this county, in right of freehold of the yearly value of 10*l.*, situate at Ballymore and barony Granard, in this county. Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John Crawford, Clerk of the Peace.

Certificate 1,032.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

8214. WERE you present when Bryan Tracy came up to be registered?—I was.

8215. Was he objected to on the ground of value?—He was.

8216. What number of acres did he swear he had?—Eleven acres, one rood.

8217. What rent?—Fourteen pounds; 25*s.* an acre.

Cross-examined by Mr. *Robinson*.

8218. You were present?—I was; he pays cess 1*l.* 5*s.*

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides*.

John Armstrong.

8219. DID you serve Bryan Tracy, of Ballymore?—I did, on his wife, in the house.

8220. When did you serve it?—The 17th.

8221. For the 28th?—Yes.

8222. Did you know the man?—I have been in his house.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides*.

Andrew Brock.

8223. DID you examine the farm of Bryan Tracy?—I did.

8224. Is there a house on it?—There is.

8225. Now, including the house and every thing, what do you think is the highest rent a solvent tenant could afford to pay for it?—I think the highest rent a solvent tenant could afford to pay for it is 35*s.* an acre; there is no tarbury and no water attached to it, and it is very inconvenient.

Cross-examined by Mr. *Robinson*.

8226. What sort of house is on the place?—It is one of the usual cabins that these farmers have.

8227. You think a tenant would not be able to give more than 35*s.* an acre?—No, in my judgment, I think not.

8228. Are you acquainted with the land thereabouts?—I know all the land in the neighbourhood.

8229. Do you know what it lets for?—I do, in some cases.

8230. Is this good land?—It is not good land.

8231. *Committee.*] How much do you say?—Thirty-five shillings an acre.

8232. How much does he pay?—I cannot say what he pays.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* stated, that he should not call any evidence in support of the vote.

The Committee came to the following resolution:—

"That the vote of Bryan Tracy be struck off the poll."

Mr. *Whitesides*.] The next vote we object to is the vote of Matthew Flood; 34 on the poll, 128 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. *John V. Crawford.*

3 May 1837.

8233. DO you produce the affidavit of registry of Matthew Flood ?—I do.

[*The following Document was handed in :*]

£. 10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, " An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford appointed for that purpose ; I, Matthew Flood, of Ballymore, farmer, in the barony of Granard, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Ballymore, in the barony of Granard, in the county of Longford ; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 19th day of December in the year 1827 ; and that I am in the actual occupation thereof by residing, tilling and grazing ; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them ; nor do I intend to let the same or any part thereof to person or persons, or any of them ; and that I have not agreed to let it for the term for which I hold it ; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Matthew Flood.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Matthew Flood, of Ballymore, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballymore and barony of Granard, in this county. Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 890.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

8234. WERE you present when Matthew Flood came up to be registered ?—I was.

8235. Was he opposed on the ground of value ?—He was.

8236. Read your entry, as to what he claimed for ?—" The number of acres was 10 acres, 3 roods, 10 perches ; rent, 11*l.* 18*s.* ; 22*s.* per acre."

8237. Mr. *Robinson.*] Read the whole of the note ?—" Says, land convenient, held by Farrell, pays 40*s.* an acre ; a person named Rielly pays 42*s.* an acre ; does not know what any man in this town-land pays ; got his lease in 1827 ; says that Pat Farrel, another person examined, pays 2*l.* 2*s.* ; was admitted."

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides*.

John Armstrong.

8238. DID you serve a notice on Matthew Flood, of Ballymore, of the barony of Granard ?—I did.

8239. When ?—On the 7th of April, for the 11th.

8240. Do

John Armstrong.

3 May 1837.

8240. Do you know his house?—I do, perfectly.

8241. Have you any doubt it was his house?—I had no doubt.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides.*

Andrew Brock.

8242. DO you know Matthew Flood's land?—I do.

8243. Did you examine it?—Very particularly.

8244, Is there a house upon it?—A poor cabin.

8245. Does the voter live on the farm?—No.

8246. State the highest rent which you think a solvent tenant could afford to pay for that land?—I think the highest rent a solvent tenant could pay for it would be 30*s.* an acre.

Cross-examined by Mr. *Robinson.*

8247. Do you know what the person pays who lives next, who occupies the next farm?—Cormick Dowd.

8248. What rent does he pay?—I do not know; I never asked, and I did not wish to ask the question.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson*, stated he had no evidence in support of the vote.

The Committee came to the following resolution:—

"That the vote of Matthew Flood be struck off the poll."

Mr. *Whitesides.*] The next vote we object to, is the vote of Terence Flood; 127 on the list, 32 on the poll.

John V. Crawford, called.

Examined by Mr. *Whitesides.*

Mr. *John V. Crawford.*

8249. DO you produce the affidavit of registry of Terence Flood?—I do.

[*The following Document was then handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at Elections within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose; I, Terence Flood, of Rathbrackin, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Rathbrackin and barony of Granard, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 28th day of February in the year 1831, and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them, nor do I intend to let the same or any part thereof to such person or persons or any of them, and that I have not agreed to let it for the term for which I hold it, and that I have not procured or occupied the said freehold fraudulently nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Terence ⋈ Flood.
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832,

Truly read by me, *M. J. H. Hellins*

J. H. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Terence Flood, of Rathbrackin, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.* situate at Rathbrackin, and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 875.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

3 May 1837.

8250. WERE you present when Terence Flood came up to be registered?—I was.

8251. Was he opposed on the ground of value?—He was.

8252. What number of acres did he swear out of, and what rent did he pay?—His land was 15 acres, 18 perches; rent 27*l.* 19*s.*, which is 37*s.* an acre.

8253. Were you there yourself?—I was.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides*.

John Armstrong.

8254. DID you serve a notice on Terence Flood?—I did, his son, at the house.

8255. What day did you serve it?—The 22d, for the 28th.

Cross-examined by Mr. *Robinson*.

8256. Do you know Flood, the house and himself?—No; I was brought to that house by a guide, M'Coy; Wiggins and Brock had been there that day with me.

8257. Did you go to the land Wiggins showed you?—I did.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Whitesides*.

Jacob Wiggins.

8258. DO you know Terence Flood?—I do.

8259. Are you agent of the estate on which he lives?—Yes; I set his farm myself.

8260. What do you think is the highest rent a solvent tenant could afford to pay for that per acre?—Forty shillings.

8261. Were you with Armstrong when he served the notice?—He was in the neighbourhood, he was within 200 perches of the land.

8262. Did you know he was out serving notices?—Yes.

Cross-examined by Mr. *Robinson*.

8263. Did you see him serve the notice on Terence Flood?—No.

8264. Did you tell him where Terence Flood lived?—I did not tell him.

8265. Mr. *Whitesides*.] Was it after you were on the land that he was served, or before?—I was not on it on that day at all; I know it too well to require to go over it again; I was valuing other lands.

8266. Near this farm?—Yes, within 50 perches.

8267. Did you see Armstrong serving notices?—Yes; he was in a car, and his son with him.

8268. Was Brock with you?—Yes, and a man of the name of M'Coy.

8269. Who is M'Coy?—The man who was showing us the different meerings.

8270. You know Flood yourself?—Well.

8271. How near Flood did you see Armstrong?—Near 100 perches of the land, not the house.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides*.

Andrew Brock.

8272. DID you go to Terence Flood's farm with Wiggins on that day?—I was with M'Coy and Wiggins on a day, in the neighbourhood of Flood's farm.

8273. Did you see Armstrong, the notice-server, out on that day?—I did.

8274. Did you see him near Flood's house?—I think he was about half a mile from it.

8275. You

8275. You did not go to the house on that day?—No.

8276. Did you see M'Coy with him?—I did.

8277. Who is M'Coy; is he a process-server?—I do not think he is; he is a person employed by Mr. Erskine, in the county of Cavan, to serve tithe notices.

8278. He was with Armstrong?—Yes.

Cross-examined by Mr. *Robinson.*

8279. Who occupies the next land to Terence Flood; are there any other voters in the neighbourhood?—Yes, there is Manion on one side of the road, and there are others.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* then submitted, that the service of the notice had not been sufficiently proved.

Mr. *Whitesides*, on the other side.

The committee-room was cleared: on Counsel and Agents being called in, they were informed that the Committee had come to the following resolution:—

"That the evidence of the service of the notice on Terence Flood was sufficient."

Mr. *Robinson* stated, that he should not offer any evidence in support of the vote.

The Committee came to the following resolution:—

"That the vote of Terence Flood be struck off the poll.

Mr. *Whitesides.*] The next vote we object to is the vote of James Beglin, No. 111 on the list, 266 on the poll, second day.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

8280. DO you produce the affidavit of registry of James Beglin?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Granard, in the county of Longford, on the 17th day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, James Beglin, of Rincoola, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land situate in Rincoola, parish of Granard, and barony of Granard, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Rincoola, in the barony of Granard, in the county of Longford, and that the said freehold does not arise from a rent charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of November, in the year 1832, and that I am in the actual occupation thereof, by grazing, tilling and occupation, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns, of such person or persons or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

James Beglin.

Sworn and subscribed before me,
this 17th day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

3 May 1837. County of Longford.

THIS is to certify, That James Biglin, of Rincoola, parish of Granard, and barony of Granard, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Rincoola.

Dated this 17th day of October 1832, at Granard.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate No. 164. *John V. Crawford*, Clerk of the Peace.

Arthur A. Griffiths.

Examined by Mr. *Whitesides.*

Arthur A. Griffiths.

8281. WERE you present when James Beglin, of Rincoola, in the barony of Granard, came up to register?—I was.

8282. Was Beglin objected to on the ground of value?—He was.

Mr. *Robinson* then objected to the vote being further proceeded with, upon the ground that in the list of objections the name was Beglin, whereas in the certificate of registry it was Biglane.

Mr. *Harrison* was heard in answer to the objection.

John V. Crawford, called.

Examined by Mr. *Whiteside.*

Mr. *John V. Crawford.*

8283. IS there any other person of the name of Beglin or Biglane, of the barony of Granard?—I cannot answer the question without reference to the poll-book — [*The Witness referred to the Poll Book*]—it appears there is only one man of the name of Beglin on the poll.

The Committee over-ruled the objection.

Arthur A. Griffiths, called.

Examined by Mr. *Whitesides.*

Arthur A. Griffiths.

8284. WERE you present when this man, James Beglin, came up to be registered?—I was.

8285. Was he objected to on the ground of value?—He was.

8286. What was the quantity of land he swore out of, and what was the rent?—He swore he held under a lease from his father 14 acres, for which he paid 37*s.* an acre, making 25*l.* 17*s.*

8287. Mr. *Robinson.*] Were you present when he came up?—I was.

[*Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

8288. DID you serve a notice on James Beglin?—I did.

8289. How did you serve it?—In person.

8290. On what day did you serve him?—The 6th of April, for the 11th.

Cross-examined by Mr. *Robinson.*

8291. You know the man?—Yes; he took the notice of me, and said he did not care a pin for it.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Whitesides.*

Jacob Wiggins.

8292. DO you know the land of James Beglin, of Rincoola?—I do.

8293. How long have you known the land?—Several years.

8294. Did you examine this farm?—I did.

8295. Is there a house upon it?—There is.

8296. Including

8296. Including every thing that there is upon this farm, and taking it as it stands, what do you think is the utmost rent a solvent tenant could afford to pay for it?—Forty shillings an acre. *Jacob Wiggins.* 3 May 1837

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* said he should offer no evidence in support of the vote.

The Committee came to the following resolution:—

"That the vote of James Beglin be struck off the poll."

Mr. *Whiteside.*] The next vote we object to, is the vote of Patrick Reilly; 172 on the list, 14 on the poll.

J. V. Crawford, called.

Examined by Mr. *Whitesides.*

8297. DO you produce the affidavit of registry of Patrick Reilly?—I do. Mr. *John V. Crawford*

[*The following Document was then handed in.*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2 & 3 Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose, I, Patrick Reilly, of Carrickduff, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear annual value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Carrickduff and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 13th day of January, in the year 1822, and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them, and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Patt. Reilly.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Reilly, of Carrickduff, farmer, of this county, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Carrickduff and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
Certificate, No. 1014. *John V. Crawford*, Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Whitesides.*

8298. WERE you present when Patrick Reilly came up to be registered?—I was. *George Gardiner*

8299. Was he objected to on the ground of value?—He was.

8300. What was the quantity he claimed for, and what was the rent?—He held 10 acres, 2 roods, 17 perches, at 30*s.* 6*d.* an acre, which is 16*l.* 10*s.* 6*d.*, yearly rent.

Cross-examined by Mr. *Robinson.*

8301. WERE you present, and heard the objection?—I was.

[*The Witness was ordered to withdraw.*]

John Armstrong.

3 May 1837.

John Armstrong, called.

Examined by Mr. *Whitesides*.

8302. DID you serve Patrick Reilly with notice to produce?—I did.

8303. How?—Personally.

8304. What day?—Eighteenth, for 28th February.

Cross-examined by Mr. *Robinson*.

8305. Do you know Patrick Reilly?—I do.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Whitesides*.

Andrew Brock.

8306. DO you know Patrick Reilly's farm?—I do.

8307. Did you go to examine it?—I did.

8308. Is there a house on it?—Yes, it is a very bad one.

8309. What is the highest rent which a solvent tenant could pay for the farm, house and all, as it stands?—Twenty-seven shillings an acre.

Cross-examined by Mr. *Thesiger*.

8310. Do you know at all what the man pays?—No.

8311. You think it is only worth 27*s.* an acre?—I could not put a higher rent on it.

8312. Suppose the man pays 30*s.* 6*d.*, do you consider he would be able to live out of the farm?—I do not think he could.

8313. You do not know that he paid 30*s.* 6*d.*?—No, I do not know what he paid; the ground is very bad, quite neglected.

8314. You think 30*s.* would be a high rent, would it not?—I think it would.

8315. It would be enormously too much?—Not enormously.

8316. But a great deal too much?—In the present state of the ground it is too much.

8317. What do you mean by saying, "in the present state of the ground"?—Because it is quite neglected, and partly covered with water and rushes, and it would require an outlay which the tenant has not turned his thoughts to; it has been so neglected.

8318. If the land was improved, what do you consider it would be worth an acre?—If the lands were equal to the lands which are on the other side, they would be worth 32*s.* an acre.

8319. Is that the outside value?—I think so.

Mr. *Thesiger* stated, that it was not his intention to call any evidence in support of this vote.

The Committee came to the following resolution:—

"That the vote of Patrick Reilly should be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of *John Clancey;* No. 206 on the list, and 20 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. *John V. Crawford.*

8320. DO you produce the affidavit of registry of John Clancey?—I do.

[*The following Document was handed in:*]

£. 10. Leasehold. Term of 20 Years. County.

OATH of a LEASEHOLDER registering a Ten Pound Leasehold in a County, pursuant to 2 & 3 WILL. IV. c. 88.

At a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before

before the Deputy of the Assistant Barrister of and for the county of Longford for that purpose appointed; I, John Clancey, of Clonwheelan, in the county of Longford, do swear, That I do now hold the houses and land situate, lying and being at Clonwheelan, parish of Manstrim, barony of Ardagh, under a lease for years bearing date the 17th day of March in the year 1829, made by and between Alexander Demister of Clonwheelan and said John Clancey; and that such leasehold is now of the clear yearly value of 10*l.* over and above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, church or parish cesses or rates, and cesses upon any townland or division of any parish or barony; and that the said leasehold does not arise from a rent charge; and that I have not accepted or procured the said leasehold fraudulently, nor in exchange for any freehold or leasehold in any other county, city or town; and that I am in the actual occupation thereof. So help me God.

Mr. *John V. Crawford.* 3 May 1837.

Sworn and subscribed, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

Truly read by me to the said John Clancey,
Geo. Bentley.

his
John ⋈ Clancey.
mark

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That John Clancey, of Clonwheelan, farmer in this county, was this day duly registered before me as a voter for this county, in right of a leasehold of the yearly value of 10*l.*, situate at Clonwheelan, parish of Manstrim and barony of Ardagh in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 231.

George Gardiner, called.

Examined by Mr. *Whitesides.*

George Gardiner.

8321. WERE you present when John Clancey came up to be registered?—I was.

8322. Was he objected to on the ground of value?—He was.

8323. What was the quantity he swore out of, and what was the rent?—He swore he held 26 acres and some perches, at 36*s.* per acre.

[*The witness was ordered to withdraw.*]

Andrew Johnstone, sworn.

Examined by Mr. *Whitesides.*

Andrew Johnstone

8324. DID you happen to serve a notice on John Clancey, of Clonwheelan, to produce his lease?—I did.

8325. When did you serve this?—On the 17th of February, for the 28th.

8326. Who did you serve it on?—Upon himself.

8327. Had you any conversation with him when you gave him the notice?—He asked me what it was, and asked me to read it to him.

8328. Did you do it?—I did.

8329. Did you value the land?—Yes.

8330. Was the tenant with you himself?—Not over the whole he was not.

8331. What is the highest value you put on this farm?—Thirty shillings an acre.

8332. What kind of land is it?—The best part of this land is a black light kind of ground.

8333. Did the tenant know that you were valuing the farm?—He did.

8334. Did you tell him what you valued it at?—I did not.

8335. You think that the sum you have valued it at is a fair rent to pay for this farm?—It is.

8336. Do you believe a solvent tenant could afford to pay a higher rent, and live by it?—He could not.

Andrew Johnstone.

3 May 1837.

Cross-examined by Mr. *Robinson.*

8337. How long have you known the land?—Five or six years at least.

8338. In what state is it now?—All that can be tilled is in tillage.

8339. Is there a house upon it?—There is.

8340. Is it not a good house?—It is not a good house; it is a mud house.

8341. Are not most of the houses on these small farms mud houses?—A great many of them are, and some are stone houses.

8342. You do not say the land is in its improved state?—It is quite the contrary.

8343 Do you mean to say that 30 *s.* an acre is as much as a tenant could pay for it?—Yes, it is not worth more than 30 *s.* an acre.

[*The Witness was ordered to withdraw.*]

Mr. *Whitesides.*] That is our case.

Denis O'Conner, sworn.

Examined by Mr. *Robinson*

Denis O'Conner.

8344. DO you know the land of John Clancey?—Yes, I do.

8345. Did you go over the land for the purpose of valuing it?—I did, in March last.

8346. Did you go carefully over it?—Yes.

8347. Is there a house upon it?—There is a house and offices.

8348. What state are they in?—Very well.

8349. Have you a note about them?—I have.

8350. Did you take that note at the time?—I did, in the man's house.

8351. Just read it, will you?—I will, "There is a good dwelling-house and farm, also a car-house, stable and barn; the lands of Clonaheelan are very fine; there are two acres of meadow land on it, which is worth 5 *l.*"

8352. Is this Clonwheelan the name of the place where Clancey lives?—Yes, the land will set at 2 *l.* 5 *s.* an acre, to any tenant, in my opinion.

1353. Is that taking the land alone, or including the house in it?—I include the house in that.

8354. Now, is the land in an improved state or not?—Yes, it is; the man is a good farmer, I think.

8355. The farm seemed altogether in a decent state?—Yes, I think so; he had some of it ploughed at the time, that I dare say he would get 8 *l.* an acre for, in con-acre, for potatoes for one year.

8356. Judging from the state of it, and the house, do you believe a solvent tenant would be able to give that rent for it?—I do.

8357. Taking it all the way round?—Yes.

Cross-examined by Mr. *Whitesides.*

8358. You do not mean to tell the Committee 8 *l.* an acre would be the rent which a solvent tenant would pay?—No, I believe I have more than once expressed that it is for one year by con-acre.

8359. On the principle of exhaustion?—I just want to show them the nature of the county of Longford, that it is not a barren soil, that grows nothing but snipes.

8360. I ask you, do you mean to tell the Committee a solvent tenant would pay 8 *l.* for this?—I said no such thing.

8361. Do you mean to tell the Committee a solvent tenant would pay for 7 or 14 years, 5 *l.* an acre for that farm?—What I told the Committee was, a solvent tenant could pay 2 *l.* 5 *s.*

8362. Do you mean to say that a middle man could ask that, or is that the fair rent which a fair landlord would get from a fair tenant?—I think a fair landlord would get 2 *l.* 6 *s.* from a fair tenant, and be paid.

8363. And do you mean to say the tenant could live by the farm?—I do mean to say there are many in Ireland in a worse state; I do not mean to say he would have a 10 *l.* benefit after paying that rent.

8364. Will you tell the Committee the state in which the whole of the land is?—There is a good deal of it under tillage and grazing.

8365. Was

Denis O'Conner

3 May 1837.

8365. Was the man himself present when you made the valuation?—He was.

8366. Did he agree with you in the valuation you made?—I believe he would rather desire me to add more, than diminish the value.

8367. You said the man was present, and you made the valuation in his house; did he agree with you in the house?—I did not like to tell him, for fear he should desire me to add more.

8368. You did not tell him, though the man was next you?—No, I did not tell him.

8369. You were afraid?—I am afraid of nothing that is just.

8370. I did not say you were afraid; I say as the man was standing over you when you wrote that?—He was not standing over me; I am sure I did not tell him the valuation, for the very reason, that, instead of that, he would say he would not give his land for 2 *l.* 10 *s.*, from the conversation I had with him of the value of his farm.

8371. Did he say he would not give it for 2 *l.* 10 *s.*?—He did not; but I am sure of that, from the remarks he made to me.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared: on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had come to the following resolution:—

"That the vote of John Clancey be struck off the poll."

Mr. *Whitesides.*] The next is Pat. Farrell; 93 on the poll, 21 on the list.

Mr. *John. V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *John V. Crawfor*

8372. DO you produce the affidavit of Pat. Farrell?—I do.

[*The following Document was then put in.*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a general quarter sessions of the peace, holden at Ballymahon, in and for the county of Longford, on the fourth day of April, in the year of our Lord 1836, I, Patrick Farrell, of Lismacmanus, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any town-land or division of any parish or barony lying and being at Aughalonghen, in the barony of Ratchline, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 25th day of May in the year 1834; and that I am in the actual occupation thereof by tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrumunt, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Patt. Farrell.

Sworn and subscribed before me, in open Court,
this 4th day of April 1836,
J. Lindesay, Acting Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Patrick Farrell, of Lismacmanus, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Aughalonghen, in the barony of Ratchline, in this county. Dated this 4th day of April 1836, at Ballymahon.

J. Lindesay, Acting Assistant Barrister.

Certificate No. 1,600. *J. V. Crawford*, Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Whitesides*.

George Gardiner.

3 May 1837.

8373. WERE you present when Patrick Farrell, of Lismacmanus, came up to be registered?—I was.

8374. Was he objected to on the ground of value?—He was.

8375. What was the quantity of acres he swore out of, and what was the rent?—He swore he held 30 acres, 3 roods, 36 perches statute measure, being 19 acres, 20 perches Irish measure, at 1*l.* per Irish acre.

8376. What was the whole of his rent?—Nineteen pounds two shillings and sixpence.

Cross-examined by Mr. *Robinson*.

8377. Do you know Patrick Farrell?—I do not know him personally.

8378. What Patrick Farrell are you speaking of?—The Patrick Farrell I am speaking of, his land is situated at Aughalonghen.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides*.

John Corry.

8379. DID you serve a notice to produce a lease on Patrick Farrell, of Lismacmanus, in the barony of Rathcline?—I did.

8380. When did you serve it?—On the 16th of February, for the 28th.

8381. How did you serve it?—Personally.

8382. Did you value his farm?—I did.

8383. State what kind of land it is?—It is a very bad description of land; a great deal of it is bottoms; part of it is covered with furze and whins.

8384. Is it mountain land?—Not mountain land.

8385. Is there a cabin on it?—The man does not live on it.

8386. Is there a cabin?—I have no note of a cabin.

8387. You know he does not live there?—Yes.

8388. What is the highest rent for land of this description which a solvent and responsible tenant could afford to pay?—I think the highest is 20*s.* an acre.

Cross-examined by Mr. *Robinson*.

8389. Do you know what he pays now?—I do not.

8390. Do you think that that is the highest rent he could afford to pay?—I think that is over the value of it.

8391. Is there not some bog on it?—Some of it.

8392. Was this note taken at the time?—Yes, it was.

8393. Tell us how much is covered with furze?—Near half is covered with furze and bushes.

8394. Did you know the land before?—I did not.

8395. How long were you on it?—I was a good deal on it; I cannot say exactly how long.

8396. You did not see a cabin on it?—I have no note of a cabin.

8397. You cannot tell us how much was in tillage?—Not exactly.

8398. When was it you valued it; was it in February?—Yes, on the 16th of February.

8399. Mr. *Whitesides*.] And you say half of it was covered with furze?—Yes.

8400. *Committee*.] When you say 1*l.* an acre, do you mean Irish acres?—That is the general way we take it.

[*The Witness was ordered to withdraw.*]

Thomas Bracken, called.

Examined by Mr. *Robinson*.

Thomas Bracken.

8401. DO you know the land of Pat. Farrell, of Lismacmanus?—I know the land of Aughalonghen, where he has his freehold.

8402. When did you value it?—Last March.

8403. Did you go over it carefully?—Very carefully.

8404. What

8404. What sort of land is it?—It is not altogether one farm; there is a road divides it. *Thomas Bracken.*

8405. The farm is divided into two, is it?—Yes. 3 May 1837.

8406. Is that by a road?—A small road; what they call a bridle-road, or a pass to a farmer's house.

8407. What description of land is it; the quality of the land?—The five acres of land that is in meadow I calculated would be cheap at 27*s.* an acre.

8408. *Committee.*] That is the average?—Yes.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:

"That the vote of Patrick Farrell be struck off the poll."

Mr. *Whitesides.*] The next is the vote of Michael Nowlan; 240 on the poll, 188 on the list.

John V. Crawford, called.

Examined by Mr. *Whitesides.*

8409. DO you produce the affidavit of registry of Michael Nowlan?—I do. Mr. *John V. Crawford.*

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds in a County, pursuant to 2d & 3d Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at Elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, Michael Nowlan, of Lislum, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Lislum, and barony of Abbeyshrule, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 24th day of March in the year 1822, and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them, nor do I intend to let the same or any part thereof to such person or persons, or any of them, and that I have not agreed to let for the term for which I hold it, and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Michael ⋈ Nowlan.
mark.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of Registry.

County of Longford.

THIS is to certify, That Michael Nowlan, of Lislum, farmer, of this county, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.* situate at Lislum, and barony of Abbeyshrule, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 975.
Pd *J. V. C.*

George Gardiner, called.

Examined by Mr. *Whitesides.*

8410. WERE you present when Michael Nowlan came up to be registered?—I was. *George Gardiner.*

8411. Was he objected to on the ground of value?—He was.

8412. What

George Gardiner.

3 May 1837.

8412. What number of acres did he register out of?—Ten acres, one rood, thirty-two perches.

8413. At what rent?—One pound eight shillings per acre; gross rent, 23*l.*

[*The Witness was ordered to withdraw.*]

John Morgan, called.

Examined by Mr. *Wrangham.*

John Morgan.

8414. DID you go to serve a notice on Michael Nowlan, of Lislum?—I did.

8415. What day?—Sixteenth of February, for the 28th.

8416. Did you go to his house for that purpose?—I went within a few perches of it.

8417. Why did you not go up to the house?—We were attacked by a mob, and beat off the land, and he was in the mob.

8418. Was he acquainted with the object of your visit?—I think he was by the shouts, such as "hunt the fox," and every thing like that.

8419. Had you been serving a notice in that neighbourhood?—Yes.

8420. On some other land?—Yes, I served a man next door to him.

8421. Was it when you passed from the next door to this house, that you were attacked in this way?—Yes.

8422. Who was the next door neighbour, the man whom you served?—Bryan Jordan.

8423. Was Bryan Jordan one of the persons who atracked you, as well as Michael Nowlan?—Yes, he was.

8424. Where had you the notice?—I had it in my hand when the parties attacked the other men.

8425. Were you, in point of fact, driven off by the party of which Michael Nowlan the voter was one, and Jordan the other, and prevented serving this notice?—Yes.

8426. *Committee.*] Did you tell the man you were come to serve that notice?—I did not.

8427. Have you any reason to believe he knew you came to serve the notice?—The reason, I believe, he considered I came to serve the notice was, because the valuators were hunted the day or two before off it.

8428. Were you in the habit of serving notices?—Yes.

8429. You had been in the habit of seeing the notices to produce the leases?—Yes.

8430. Were you known as the person who was serving those notices?—I think not.

8431. Had you served one on Bryan Jordan?—Yes.

8432. When was that?—On that day

8433. Immediately before this took place?—A few minutes.

8434. Bryan Jordan followed you from the house down to Nowlan's?—Yes.

8435. And there a party of men beat you, of whom Bryan Jordan and Nowlan were two?—Yes, with the pitchforks and logs and shovels.

8436. Were you prevented from serving that notice by the violence to which Bryan Jordan and Nowlan were parties?—Certainly.

Cross-examined by Mr. *Robinson.*

8437. You say you had something in your hand?—Yes.

8438. What was it?—A notice.

8439. What hand was it in?—I think my right hand.

8440. Did you hold your pistol in your left hand?—I had a pistol in both hands after that.

8441. When did you first take the pistols in both hands, or either hand?—When the party attacked the men who were along with me.

8442. Whose land were you on?—On Jordan's.

8443. I understood you to say in answer to my friend, you were not known as a notice server on this occasion; is that so, were you or were you not known?—I suppose I was known by those on whom I had served notices at that time.

8444. You say you are not a general process server; have you been a common collector of tithes and things of that sort?—I was.

8445. Were

8445. Were you known to be so?—I was.

8446. Were you known to be so in this neighbourhood?—I consider not at that time.

8447. How far do you live from this?—Something better than six miles.

8448. And do you mean to say you were not known in that neighbourhood to be a tithe collector?—Not at that time, I consider.

8449. Have you collected tithes there?—No.

8450. How near?—Not within five miles.

8451. Had you not at quarter sessions been called upon to give evidence about the tithes?—Yes.

8452. Was not that very well known about?—I suppose it was.

8453. Whereabouts was that?—In the same barony.

8454. When did you first take to carrying pistols about with you when you went to serve the notices; that, I suppose, was after this attack?—Yes, that was the first day I served any.

8455. How many notices had you served then before you went into that man's land?—I think about 14 or 15.

8456. And you began with carrying pistols about with you?—Yes.

8457. Do you mean to say you went with pistols before you received any obstruction whatever?—I had them in my pocket.

8458. And you went to serve the notices with pistols, before you met with any difficulty?—I was told by the valuators the way they were used the day before.

8459. You told me first you did not go on Nowlan's land?—I went within a few perches of his house.

8460. I did not understand you to say you went on his land?—I think not.

8461. And when they began shouting about "Fox," and so on, did you go away immediately, or begin taking your pistols in both hands; did you run away as soon as they began shouting?—Not till the party who were along with me were beat and knocked down several times.

8462. And then you did what; take your pistols out or what?—We run away as hard as we could.

8463. When did you take the pistols out that you talked of? We took them out at that time.

8464. *Committee.*] You did not take the pistols out when you ran away?—Yes.

8465. Did you make an attempt to serve the notice afterwards?—I would be in dread of my life to go again without a guard.

8466. *Committee.*] Do you know whether any body else attempted to serve it?—I do not know.

8467. And you returned the notice to the office where you got it from?—No, I have it still.

Re-examined by Mr. *Wrangham.*

8468. You say you had pistols in your hand?—Yes.

8469. Was that in consequence of information which had reached you, from what you had been told?—Yes.

8470. Had you been told any thing as to what had taken place and happened to the valuers the day before?—I was.

8471. On this same land?—Yes.

8472. Now, do I understand you to say, that the party who were with you were attacked with pitchforks and shovels and logs, and were beat and knocked down before you drew your pistols?—They were struck before I pulled out my pistols.

8473. Did you desist from your attempt to serve the notice till the party who were with you had been attacked, and it was impossible for you to serve it?—No.

8474. Do I understand you to tell the Committee you would be in dread of your life to attempt to repeat the service of that notice without a guard?—Yes.

8475. *Committee.*] Did you serve any notice on any neighbour of this man?—Yes, I did.

8476. More than one neighbour?—Yes.

8477. Several?—I served three in that townland on that day.

[*The Witness was ordered to withdraw.*]

3 May 1837.

Mr. *Robinson* then objected to this vote being further proceeded with, on the ground that sufficient exertions had not been made to affect a due service of the notice.

Mr. *Wrangham* was heard in answer to the objection.

The *Committee* were of opinion, that due diligence had been used to effect a proper service of the notice.

John Corry, called.

Examined by Mr. *Whitesides*.

John Corry.

8478. DO you know the land of Lislum?—I do very well.

8479. Do you know the farm of one Michael Nowlan there?—I do.

8480. What description of land is it?—A very indifferent description; it is a high sandy land, and part of it is bottoms.

8481. What is the best rent that a solvent tenant could afford to pay for that farm by the acre?—I think 1*l.* 10*s.* would be an outside rent for it.

8482. Including every thing as it stands?—Yes, including every thing.

Cross-examined by Mr. *Robinson*.

8483. Did you look at the dwelling-house and offices?—I had seen them before.

8484. What state are they in, in your judgment?—In a very miserable state.

8485. And how is the land occupied?—By grazing and tilling.

8486. About how much of each?—I think there is nearly three or four acres of bottom or cut-away bog, partly covered with whins, and the remainder of it of a light gravelly nature.

8487. Did you know Michael Nowlan?—I did.

8488. Do you know how long he has been there?—He has been there as long as I can recollect.

[*The Witness was ordered to withdraw.*]

Mr. *Wrangham.*] That is the case against the vote.

Robert Wallace, sworn.

Examined by Mr. *Robinson*.

Robert Wallace.

8489. DO you know the land of Michael Nowlan, of Lislum?—I do.

8490. When did you value it?—In February last; it is the next farm to my own.

8491. How long have you known it?—Nearly a year.

8492. Is there a dwelling-house on it?—There is.

8493. What state is it in?—It is not a good house.

8494. Are there offices?—The offices are not good.

8495. What do you say the land is worth by the acre, taking into consideration the house and offices, which are not in a good condition?—Two guineas.

Cross-examined by Mr. *Whitesides*.

8496. You say the offices are not good?—They are not.

8497. I presume that means they are very bad?—I do not say that.

8498. When you said 2*l.* 2*s.* an acre, did you mean such a rent as an honest landlord would ask a man to pay?—I think he would get it from a tenant who would be able to pay it.

8499. And the land would be worth it?—I am quite sure of it.

8500. Is the land in the neighbourhood let by a landlord to a tenant in that way?—Not that I am aware of; I know that land is very good land.

8501. Mr. *Robinson.*] What do you pay for the land you have?—I pay 1*l.* 10*s.*, and I gave a fine of 400*l.*

8502. *Committee.*] What number of acres?—Twenty-seven.

8503. Mr. *Robinson.*] Is that close to this land?—It adjoins it.

8504. *Committee.*] Do you say you paid 400*l.* fine for coming into that farm?—I did.

8505. Mr. *Whitesides.*] I understand, that the house on the farm you have taken is one of the best houses in the country; I mean to say, as a farm-house?—It is.

8506. Did it not cost more more than 400*l.* to build that house?—I cannot say it did.

8507. The person who was in before built it?—I cannot say.

8508. Would

Robert Wallace.

3 May 1837.

8508. Would it not cost the 400*l.* to build the large house and the offices you have on that farm?—I do not think it would.

8509. Would you describe the nature of the offices and the house?—The offices are very good slated offices.

8510. Are they not very large?—They are.

8511. What do they consist of?—They consist of a stable.

8512. For how many horses?—Three; a coach-house, a car-house and a barn.

8513. The house is slated; it is a large house?—It is not a large house; the offices are better in proportion than the house.

8514. And you pay 1*l.* 10*s.* an acre for the land?—Yes.

8515. What interest do you have in it; what number of years?—I have 29 years' interest in it from the present time.

8516. And what rent, do you know, did the former tenant pay?—The same, as I understood.

8517. Did he run away?—Certainly not; if you mean the man I purchased it from, he is living in the neighbourhood at present, I understand.

8518. Was there any arrear on the farm when you took it?—I am not aware of it.

8519. You did not build the house yourself?—Certainly not, but I say I would give Nowlan 2*l.* 2*s.* for his land.

8520. Have you any sort of intention of taking the land?—I have not; I do not think he would take that for it.

8521. Mr. *Robinson.*] Suppose you did want such a thing, would you give that for it?—Decidedly.

8522. *Committee.*] Do you know of any land near it that lets at 2*l.* per acre?—I am told there is land let at 2*l.*

8523. Do you know it of your own knowledge?—I never saw the receipts; I heard there was; but I do not know more than that.

8524. Do you believe all the land about there, or most of it, to be let at that?—Not the most of it.

8525. Is it of the same quality?—It is rather better.

8526. This man's holding is 16½ acres; if you desired to add 16½ acres to your present taking, would you give 2*l.* 2*s.* an acre for this farm?—I would.

8527. If it was at liberty to-morrow, you would give it?—I would.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared; and on Counsel and Agents being called, in they were informed by the Chairman that the Committee had come to the following resolution:—

"That the vote of Michael Nolan be retained on the poll."

Mr. *Wrangham.*] The next is Oliver Cosgrave; 4 on the list, 39 on the poll.

Mr. *John V. Crawford*, called.

Mr. John V. Crawford.

8528. Mr. *Wrangham.*] DO you produce the affidavit of Oliver Cosgrave?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford; I, Oliver Cosgrave, of Derryadd, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Derryadd, barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument bearing date the 13th day of October 1810; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof

3 May 1837.

thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Oliver Cosgrave.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Oliver Cosgrave, of Derryadd, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Derryadd, barony of Rathcline, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.

Certificate, No. 1174.
Flood.

John V. Crawford,
Clerk of the Peace.

James Ganly, called.

Examined by Mr. *Whitesides.*

James Ganley.

8529. WERE you present when Oliver Cosgrave came up to be registered?—I was.

8530. Was he objected to on the ground of value?—He was.

8531. What number of acres did he swear out of, and what rent did he pay?—Nine acres; rent, six guineas.

Cross-examined by Mr. *Robinson.*

1532. Is that in your handwriting?—Yes.

8533. Are you sure that is the right note?—Yes, that is the note I took.

8534. Was there any argument about the value?—He was cross-examined as to value.

[*The Witness was ordered to withdraw.*]

John Corry, called.

Examined by Mr. *Whitesides.*

John Corry.

8535. DID you go to serve a notice on Oliver Cosgrave?—I did.

8536. Had you been previously engaged in serving notices on his neighbours?—I had.

8537. Did you go on his land in order to serve him with this notice?—I went up to his house, his cabin.

8538. Did you succeed in serving the notice?—I did not.

8539. Will you state to the Committee what prevented you serving that notice?—I was immediately warned off the land, and that if I would not go off the land I should be abused, and they would treat me in a very indifferent manner.

8540. What were the words they made use of?—He used very daring language with several others along with him.

8541. Was the conduct of the parties such that you dared not serve this notice?—I believe it was.

8542. You were afraid to serve it?—I was.

8543. Do you know Oliver Cosgrave?—I do.

8544. Does he know you?—He does very well.

8545. Was he present there?—He was.

8546. One of the parties using this language?—Yes, one of the parties.

8547. I think you stated to the Committee you had served two notices?—I had served only one.

8548. Was that in the immediate neighbourhood?—It was.

1549. Had you served other notices in the district?—I had.

8550. Have you any doubt that Cosgrave was aware of the nature of the notice which you attempted to serve?—I do not know.

8551. *Committee.*] Had you the notice in your hand?—I had not the notice in my hand.

8552. Did you tell him loud enough for him to hear, and the other parties with him, that you had come to serve a notice on him?—I did not.

8553. You

John Corry.

3 May 1837.

8553. You had served notices on his neighbours?—I had.

8554. Just before?—Just before.

8555. As you were close to this man, why did you not say you were come to serve the notice on him; were you afraid?—I was afraid, certainly; I might have told him, but I did not tell him.

Cross-examined by Mr. *Robinson.*

8556. Who was with you?—Mr. Wilson.

8557. Did you and Wilson go to value land as well as serve notices?—We did.

8558. Were you in the habit of asking leave of the parties before you went on the land to value it?—We were not.

8559. Were you, in fact, turned off?—We were not turned off the land till this time.

8560. Did you ever get any thing but hard words for going on people's land without leave?—I did not.

8561. I understand you to say you had the notice in your hand?—I had not.

8562. You did not say a word to him about it?—I did not.

8563. Where did you serve the other notices?—In the next townland.

8564. Had you not, at the same time, valued the land?—Yes, I had.

8565. *Committee.*] You suffered no personal violence?—Not at all.

8566. Did any of the persons with you suffer any?—No.

8567. Did you make another attempt to serve this notice?—No other.

8568. Did any other person make an attempt to serve this notice?—No other.

8569. State what was the language used to you on that occasion; the precise words, as far as you can recollect?—As far as I can recollect, when I went to the place I judged they must know something about my business from the language.

8570. Did you come direct from the last farm you had served the notice on to this one?—I did come direct from the last holding to this man's.

8571. Were you followed by any crowds of people?—Not till I came to this place.

8572. Have you any reason to suppose they had received information that you were serving notices?—I had every reason to suppose it.

8573. Where had you served the notice immediately before?—On a man of the name of ——, the next townland.

8574. How far is that from Cosgrave's?—I should think nearly half a mile.

8575. Did the people follow you from the other man's to Cosgrave?—They did not.

8576. There was no knowledge conveyed from G—— to Cosgrave, of what you had been doing at G——?—No, I believe not.

8577. Mr. *Wrangham.*] I want to have the precise language they used, which induced you to believe they knew you were coming to serve the notice?—When I went to the door for the purpose of serving the notice with Mr. Wilson, when they saw Mr. Wilson, they immediately desired him to be off; and I said, "I suppose I may go too;" we both returned back again; there were two or three houses in the village, and the people came out of the houses, and gave me great abuse by bad names, and they followed us to the road.

8578. What words and what names?—I cannot exactly tell the expressions; they said we should be ducked in the drain if we did not go away.

8579. *Committee.*] They did not do any thing else than that?—They did not.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* submitted, that sufficient diligence had not been used to serve the notice in this case.

Mr. *Wrangham* was heard in answer.

The Committee allowed the objection, and came to the following resolution:—

"That the vote of Oliver Cosgrave be retained on the poll."

Mr. *Wrangham.*] The next is Thomas Cosgrave; — on the list, — on the poll.

Mr. *John V. Crawford,* called.

Mr. John V. Crawford

8580. Mr. *Wrangham.*] Do you produce the affidavit of Thomas Cosgrave?—I do.

[*The following Document was then put in:*]

Mr. *J. V. Crawford.*

3 May 1837.

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the representation of the people of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, Thomas Cosgrove, of Derryadd, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Derryadd, barony of Rathcline, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 5th day of May in the year 1813; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Thomas ✕ Cosgrove.
mark.

Sworn and subscribed before me, in open Court, this 15th day of November 1832, first truly read to him,

J. Doherty, Deputy Assistant Barrister.

Truly read by me, *Oliver Cosgrove.*

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Thomas Cosgrove, of Derryadd, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Derryadd, barony of Rathcline, in this county.

Dated this 15th day of November 1822, at Longford.

J. Doherty, Deputy Assistant Barrister.

Certificate, No. 1,175. *John V. Crawford*, Clerk of the Peace.

Mr. *Wrangham.*] As the same objection, with regard to notice, applies to this case as the last, we shall not trouble the Committee on it.

The *Committee* came to the following resolution:—

"That the vote of Thomas Cosgrove be retained on the poll."

Mr. *Wrangham.*] The next is the vote of Patrick Donagher; 9 on the poll, 209 on the list of objections.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides.*

Mr. *J V. Crawford*

8581. DO you produce the affidavit of registry of Patrick Donagher?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose; I, Patrick Donagher, of Grillagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10*l.* above all rent and charges payable out of the

the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Grillagh, barony of Ardagh, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 30th day of April in the year 1793; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Mr. *J. V. Crawford.*

3 May 1837.

Pat. Donogho.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford, to wit.

THIS is to certify, That Patrick Donagher, of Grillagh, was this day duly registered before me as a voter for this county in right, of a freehold of the yearly value of 10*l.*, situate at Grillagh, barony of Ardagh, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,215. *Flood.* Paid.

Mr. *Arthur A. Griffiths*, called.

Examined by Mr. *Whitesides.*

Mr. *Arthur A. Griffiths.*

8582. WERE you present when Patrick Donagher came up to be registered?—I was.

8583. Are they two names, or do you call him by the same name?—I call him Donagher; some people call him Donohoe.

8584. Was he objected to on the ground of value?—He was.

8585. What did he register out of?—Ten acres, at 12*s.* an acre.

William Morrison, sworn.

Examined by Mr. *Whitesides.*

William Morrison.

8586. DID you serve a notice on Patrick Donagher of Grillagh?—I did.

8587. On what day?—On the 5th of April for the 11th, on his wife in the house.

Cross-examined by Mr. *Robinson.*

8588. Did you know Patrick Donagher?—I did; I saw him on his farm.

8589. Did you know the house?—I was shown the house.

8590. Your only reason for saying you served it at Patrick Donagher's house is, that some person told you it was his house?—The woman at the house told me it was his house; I sat a good while with her.

[*The Witness was ordered to withdraw.*]

Andrew Johnsone, called.

Examined by Mr. *Wrangham.*

Andrew Johnstone.

8591. DO you know Patrick Donagher, of Grillagh?—Yes.

8592. Do you know his farm?—Yes.

8593. How long have you been acquainted with it?—Many years; it is in my neighbourhood.

8594. Did you go to value it, more especially any time this year?—Yes.

8595. When?—The 16th of February.

8596. With Mr. Richardson?—Yes.

8597. What sort of a house is it?—A very miserable house.

8598. What

Andrew Johnstone.

3 May 1837.

8598. What is the outside value which a solvent tenant could afford to give for this farm?—One pound, I think, is the highest rent.

8599. Is there any turf cut in it?—Yes, nearly in the centre of the farm.

8600. Is that an indication of its being bad land?—It is all moor and bog.

8601. Is it at the edge of a bog?—It is.

Cross-examined by Mr. *Robinson.*

8602. Did you look at the dwelling-house?—I did, and I said it was a miserable one.

8603. Then you do not think it an excellent house?—I do not.

8604. Are there any offices?—I think there is one kind of office, under the same roof as the dwelling-house.

8605. That is a part of the same miserable dwelling-house?—Yes.

8606. You do not call it valuable farm land?—No, not at all.

8607. You say it is worth 1*l.* an acre?—I do.

8608. Did you know the land before?—I have known it many years; I know it well.

8609. Has Donagher lived there long?—He has lived in the house he now lives in a year or two, I think.

8610. Has he lived long on the estate?—Yes.

Mr. *Whiteside.* That is my case.

Denis O'Connor, called.

Examined by Mr. *Robinson.*

Denis O'Connor.

8611. DO you know the land of Patrick Donagher, at Grillagh?—Yes.

8612. Do you call the place he lives in a miserable cabin?—Indeed I do not.

8613. What sort of a dwelling-house is it?—I will read my note.

8614. Is that a note you took at the time?—Yes, in the house.

8615. When did you go over it?—In February or March.

8616. Have you a recollection independent of your note?—Yes; "Patrick Donagher, 10 acres, 12*s.* 6*d.* an acre, a good dwelling-house and an excellent set of offices," as I took them down at the time; the house and offices will cost 70*l.* or 80*l.*; I will swear, in my opinion, it would cost at least 50*l.* or 60*l.* for the house and offices.

8617. You mean to build?—Yes.

8618. What are they built of?—Stone, and whitewashed.

8619. Are there windows in it?—Yes; the house and offices are worth 7*l.* per annum without the land.

8620. Are there glazed windows in it?—I cannot recollect that, there were trees planted on it, and corn stands in the haggit, and I considered it a valuable farm, and that it is well worth 2*l.* 10*s.* an acre with the improvements.

8621. Do you call it a comfortable farm?—Indeed I do, and I thought it would be one of those which would not be impeached here.

8622. *Committee.*] Then why did you look at it?—I looked at every farm in the barony; I thought it my duty to do so.

8623. Mr. *Robinson.*] Taking it altogether, do you say that a solvent tenant would be able to give that for it?—Yes, with the improvements, exactly as it stands.

Cross-examined by Mr. *Wrangham.*

8624. When did you value it?—In February last.

8625. Before or after the 16th?—Before the 16th.

8626. How long?—As well as I can recollect, the 7th or 8th.

8627. On the 7th February there was an excellent house standing there, with excellent offices, and all these things?—Yes.

8628. You say they must have cost 50*l.*?—To the best of my knowledge the house and offices would take 50*l.* to build them.

8629. Have you known this farm long?—No.

8630. Was it the first visit you paid to it?—It was.

8631. You have not known it for several years; it is not in your neighbourhood?—Certainly not.

8632. You say you went to value this farm, and you found the house built of stone; are you sure of that?—Yes, as I considered, whitewashed outside.

8633. Will

Denis O'Connor.

3 May 1837.

8633. Will you swear it was not some other material, and not stone, whitewashed?—I am positive it was stone; stone is abundant in that neighbourhood.

8634. Stone such as will build this house?—Yes; I know a good many houses, the outsides of which were not whitewashed, which were built with stone.

8635. Is not stone plentiful in that country?—It is abundant in that neighbourhood; a good many houses in the village are built of stone.

8636. The stone they take from the land?—Yes; I do not know whether they take it from that land or not.

8637. You say the house would take 50*l.* to build it?—The house and offices, at least that; I am under the mark, I think.

8638. And that it would let for 7*l.* a year?—I think so, house, offices and all.

8639. You swear it would cost 50*l.* at least, and let at 7*l.*, and yet you cannot tell the Committee whether there are glazed windows in it or not; do you remember whether the windows are glazed or not?—Certainly if there are windows they are of glass.

8640. Have you not sworn there are windows in it?—There are very small ones; I think there are windows.

8641. Have you not told my friend you could not say whether there were glazed windows in it?—Yes, I would not be positive.

8642. *Committee.*] Did you not say in your book this house would cost from 60*l.* to 70*l.* building?—I did, the house and offices; and I will swear to between 50*l.* and 60*l.*, in my opinion.

8643. Yet still you cannot tell whether there are glass windows or not?—There are very many houses in Ireland without windows.

8644. Houses that cost 50*l.* or 60*l.*?—This is a house and three or four offices along with it.

8645. What are the offices built of?—Stone, I think.

8646. Are they not built of mud?—Part of the offices in the village are of mud; but I do not know whether these are or not.

8647. When you build a house in Ireland for 50*l.* do you expect to let it for 7*l.* a year?—Capital is so scarce in Ireland that it is nothing at all uncommon.

[*The Witness was ordered to withdraw.*]

The Committee-room was cleared. On Council and Agents being called in, they were informed the *Committee* had come to the following resolution:—

"That the vote of Patrick Donagher be struck off the poll."

Jovis, 4° die Maii, 1837.

LORD CLIVE IN THE CHAIR.

THE names of the Committee were called over; all present.

Mr. *Wrangham.*] The first vote we object to is the vote of Edward O'Niell; 5 on the poll the first day, 165 on the list.

Mr. *John V. Crawford,* called.

Examined by Mr. *Wrangham.*

Mr. J. V. Crawford.

4 May 1837.

8646. DO you produce the affidavit of registry of Edward O'Niell?—I do.

[*The following Affidavit was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a General Quarter Session of the Peace holden at Longford, in the county of Longford, on the 5th day of January, in the year of our Lord 1836; I, Edward O'Neill, of Clooneer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10*l.* above all rents and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying or being at Clooneer, in the barony of Granard, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 25th day of March, in the

4 May 1837.

year 1833, and that I am in the actual occupation thereof by residing, tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her, or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Edward O'Neill.

Sworn and subscribed before me, in open Court,
this 5th day of January 1836,

George French, Assistant Barrister.

ENTRY of Certificate of Registry.

County of Longford.

This is to certify that Edward O'Neill, of Clooneer, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Clooneer, in the barony of Granard, in this county.

Dated this 5th day of January 1836, at Longford.

George French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1,596.

George Gardiner, sworn.

Examined by Mr. *Wrangham*.

George Gardiner.

8649. WERE you present when Edward O'Niell, of Clooneer, came up to be registered?—I was.

8650. Was he objected to on the ground of value?—He was.

8651. How many acres did he swear out of?—Eleven acres two perches, Irish.

8652. At what rent?—Seventeen pounds, thirteen shillings and eight-pence, about 31*s.* 6*d.*

[*The Witness was ordered to withdraw.*]

John Armstrong, sworn.

Examined by Mr. *Wrangham*.

John Armstrong.

8653. DID you serve a notice on Edward O'Niell, of Clooneer?—I did, on his daughter, in the house.

8654. When was that?—On the 14th February, for the 28th.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham*.

Andrew Brock.

8655. DID you value the land of Edward O'Niell, of Clooneer?—I did.

8656. What, in your judgment, is the highest value an acre which a solvent and responsible tenant could afford to give in the shape of rent for this land?—Thirty-two shillings an Irish acre.

8657. Are you satisfied, from your acquaintance with the value of land generally, and your observation of this land in particular, that that is the highest rent the tenant could afford to give?—I am perfectly satisfied it is.

8658. Including every improvement on the land?—Yes.

8659. *Committee.*] What sort of house is it?—A very poor one.

8660. Is it built with mud or stone?—Stone and clay.

8661. How much would it cost to build?—Four pounds.

8662. Do you know what rent he pays?—I do not.

8663. Do you know whether he pays 31*s.* 6*d.* an acre?—I never heard.

Mr. *Robinson* stated he did not mean to offer any evidence in support of the vote.

The *Committee* came to the following resolution:—

"That the vote of Edward O'Niell be struck off the poll."

Mr.

Mr. *Wrangham.*] The next vote we object to is Hugh O'Niell; 293 on the poll, 167 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

4 May 1837.

8664. DO you produce the affidavit of registry of Hugh O'Niell?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, Hugh O'Neill, of Manapool, in the county of Longford, do swear, that I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Manapool and barony of Granard, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 7th day of April, in the year 1790; and that I am in the occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county city, or town. So help me GOD.

his
Hugh ⋈ *O'Neill.*
mark.

Sworn and subscribed before me, in open Court, this 22d day of October 1832,

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify that Hugh O'Neill, of Manapool, farmer, of this county, was this day duly registered before me as a voter for this county, in right of a freehold, of the yearly value of 10*l.*, situate at Manapool and barony of Granard, in this county.

Dated this 22d day of October, 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John. V. Crawford, Clerk of the Peace.

Certificate, No. 979. *Flood.* Paid.

George Gardiner, called.

Examined by Mr. *Wrangham.*

George Gardiner.

8665. WERE you present when Hugh O'Niell came up to vote?—I was.

8666. Was he objected to for want of value?—He was.

8667. What quantity of acres and what rent did he register out of?—He produced a lease of 13 acres, 1*l.* 6*s.* 3*d.* an acre, 17*l.* 1*s.* 9*d.*; let out 4 acres 1 rood; had 8 acres 3 roods in possession, the rent of which would be 11*l.* 10*s.*

Cross-examined by Mr. *Robinson.*

8668. What is that an acre?—It would be 50*s.* an acre.

8669. Read the whole note?—He says, land convenient pays 50*s.*; Morrison says that land sets convenient at 50*s.* an acre; that he agreed to pay 50*s.* for 20 acres himself; his farm is held at 39*s.* but, even at that, not able to pay.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham*.

John Armstrong — 4 May 1837.

8670. DID you serve the notice on Hugh O'Niell?—I did.
8671. When was it?—On the 21st for the 28th of February.
8672. Who did you serve it on?—His wife, in the house.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham*.

Andrew Brock.

8673. DID you value the land of Hugh O'Niell?—I did.
8674. When was that?—In March last.
8675. What sort of land is it?—Part of it is very poor, cut-away bog, and part of it very good.
8676. What do you think, including every thing, a solvent and responsible tenant could afford to give for this land?—Thirty-five shillings per acre.
8677. Is that the very highest rent a solvent tenant could possibly afford to pay for this land?—Yes.
8678. *Committee.*] What sort of house is there?—A mud cabin.
8679. Do you know what rent he paid?—I never heard.

[*The Witness was ordered to withdraw.*]

Mr. *Robinson* stated that he should not call any evidence in support of the vote.

The *Committee* came to the following resolution:—

"That the vote of Hugh O'Niell be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is, Myles Reilly, 173 on the list, 265 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Wrangham*.

Mr. *J. V. Crawford.*

8680. DO you produce the affidavit of registry of Myles Reilly?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2 & 3 WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, Myles Reilly, of Trumroe, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges, payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Trumroe, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 10th day of July, in the year 1828; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently nor in exchange for a freehold in any other county, city or town. So help me GOD.

Myles Reilly.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,
J. Doherty, Deputy Assistant Barrister.

ENTRY

ENTRY of CERTIFICATE of REGISTRY.

County of Longford. 4 May 1827.

THIS is to certify, That Myles Reilly, of Trumroe in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Trumroe, in the barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.

Certificate, No. 988. *Flood.* *John V. Crawford*, Clerk of the Peace.

James Ganly, sworn.

Examined by Mr. *Whitesides.*

James Ganly.

8681. WERE you present when Myles Reilly, of Trumroe, came up to be registered?—I was.

8682. Was he objected to on the ground of value?—He was.

8683. What number of acres did he swear he held, and what rent did he swear he paid?—Sixteen acres at 28*l.* 16*s.* rent.

8684. That is 1*l.* 16*s.* an acre?—Yes.

8685. Mr. *Robinson.*] Did you hear him opposed on the ground of want of value, yourself?—I did.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides.*

John Armstrong.

8686. DID you serve a notice on Myles Reilly, at his house?—On the door.

8687. How did you serve it on the door, or what did you do with it?—I nailed it on the door; the door was shut against me, and I nailed it on. The wife, I understood, was outside and followed me with a pitchfork, and said she would let my guts out for a big-bellied Brunswick rascal.

8688. Mr. *Robinson.*] Had you known this Myles Reilly?—I had not.

8689. Did you see him before?—No.

8690. Did you know his house?—I was shown it by Mr. Wiggins and Mr. Brock.

8691. Was that the only time when Mr. Brock showed it you?—Yes.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, sworn.

Examined by Mr. *Whitesides.*

Jacob Wiggins.

8692. DID you examine the farm of Myles Reilly, of Trumroe, in the barony of Granard?—I did.

8693. Did you know the lands before?—I did.

8694. What is the highest rent a solvent tenant can pay for the land?—I valued it at 2*l.*, the land is good.

8695. That is the highest rent that you can put on it?—Yes.

Cross-Examined by Mr. *Robinson.*

8696. Did you tell Armstrong where to send this notice?—I have seen him serving notices on that townland.

8697. Did you tell him the house of Myles Reilly?—I think it was either Mr. M'Evoy or I showed him the house on that farm.

8698. In your presence?—Yes, in my presence.

[*The Witness was ordered to withdraw.*]

The *Committee* came to the following resolution:—

"That the vote of Myles Reilly be struck off the poll."

Mr. *Whitesides.*] The next vote we object to is the vote of Edward Reilly; 168 on the list, 135 on the poll.

Mr. *John V. Crawford*, called.

Examined by Mr. *Whitesides*.

Mr. *J. V. Crawford.*

4 May 1827.

8699. DO you produce the affidavit of registry of Edward Reilly?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose; I, Edward Reilly, of Muckerstaff, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and lands, of the clear yearly value of 10*l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Willsbrook, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 25th day of March, in the year 1829; and that I am in the actual occupation thereof by tilling and grazing, and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
Edward × *Reilly.*
mark.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832,

J. Doherty,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Edward Reilly, of Muckerstaff, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Willsbrook, in the barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.

John V. Crawford,
Clerk of the Peace.

Certificate, No. 1007.—*Flood.*

James Ganly, called.

Examined by Mr. *Whitesides*.

James Ganly.

8700. WAS you present when Edward Reilly was registered?—I was.

8701. Was he opposed on the ground of value?—He was.

8702. What number of acres did he swear he held, and at what rent?—Eleven acres, at 17*l.* rent.

8703. That is 1*l.* 11*s.* an acre?—Yes.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides*.

John Armstrong.

8704. DO you know Edward Reilly, of Muckerstaff?—Yes.

8705. Did you serve him with a notice?—Yes.

8706. How did you serve him?—Personally.

8707. What day did you serve him?—The 17th.

8708. Do you know the man?—Yes.

[*The Witness was ordered to withdraw.*]

Andrew

Andrew Brock, called.

Examined by Mr. *Whitesides.*

Andrew Brock.

4 May 1827.

8709. DO you know the lands of Edward Reilly, of Muckerstaff?—I know the lands of Willsbrook, which Edward Reilly holds.

8710. Did you examine those lands particularly?—I did.

8711. Did you value them?—I did.

8712. What is the best rent a tenant can afford to pay for them?—Thirty-two shillings per acre.

8713. *Committee.*] What sort of a house?—There are two mud cabins.

8714. What would they cost building, those?—I think the two would cost about 5*l.*

8715. Two pounds ten shillings each?—Yes.

8716. A house for 2*l.* 10*s.*?—Yes; a mud cabin can be built for any common man for that.

8717. Mr. *Whitesides.*] Are these small houses?—They are.

8718. Smaller than the usual run?—Yes.

8719. *Committee.*] Very small?—Yes; I am quite over it when I say 2*l.* 10*s.*; any common labourer in a day may,—I suppose it would take about six or eight days to put up one of these, to wall it, just piling up the clay, mixed with a little straw.

8720. Mr. *Robinson.*] How many men would it take to build it in eight days?—According to the dimensions.

8721. The ones you are speaking of?—They are one larger than the other.

8722. The one about 2*l.* 10*s.*, how many men would that take to build it in eight days?—I knew a mud cabin to be built by two men in 15 days, measuring 36 feet long and 7 feet high, but he had a person to assist him, to mix the mud.

8723. There were two persons employed?—There were two persons employed; there was only one man building the walls, and one of them was a woman.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Edward Reilly be struck off the poll."

Mr. *Whitesides.*] The next is Patrick Nannery; 390 on the poll, 164 on the list.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

8724. Mr. *Whitesides.*] DO you produce the affidavit of Patrick Nannery?—I do.

[*The following Document was then put in:*]

£. 10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d WILL. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d and 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, Patrick Nannery, of Ballymore, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Ballymore and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 19th day of December in the year 1827; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not

4 May 1837.

not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Patt ⋈ Nannery.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832,
J. F. Fosbery,
Deputy Assistant Barrister.

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That Patrick Nannery, of Ballymore Farm, of this county, was this day duly registered before me, as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Ballymore and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery,
Deputy Assistant Barrister.

John V. Crawford,
Clerk of the Peace.

Certificate, No. 977. Paid.—*Flood.*

George Gardiner, called.

Examined by Mr. *Wrangham.*

George Gardiner.

8725. WERE you present at the registry, when Patrick Nannery came up to be registered?—I was.

8726. Was he objected to on the ground of want of value?—He was.

8727. What number of acres did he register out of?—He held 13 acres, at 16*l.* 16*s.*; 26*s.* per acre.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

8728. DID you serve a notice on Patrick Nannery of Ballymore?—Yes.

8729. On what day?—On the twenty-seventh.

8730. For the twenty-eighth?—Yes.

8731. Did you serve it on himself?—Yes.

8732. Mr. *Robinson.*] Did you know him?—I was shown the house by Mr. Brock.

8733. Mr. *Wrangham.*] Mr. Brock was with you, was he?—He was.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham.*

Andrew Brock.

8734. DID you go to value the land of Patrick Nannery of Ballymore?—I did.

8735. Did you know it before?—Very well.

8736. And you went again to view it in the month of February, was it?—Yes, in company with others.

8737. What sort of a house is it?—Bad.

8738. What then is the highest value per acre, which in your judgment a solvent and responsible tenant could fairly afford to give in the shape of rent?—Thirty-two shillings per Irish acre.

8739. You did estimate that as the highest value?—I did.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Patrick Nannery be struck off the poll."

Mr. *Wrangham.*] The next is Daniel Kiernan; 174 on the poll, 138 on the list.

Mr. *John*

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

4 May 1837.

8740. Mr. *Wrangham.*] Do you produce the affidavit of Daniel Kiernan?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d WILL. IV., c. 88.

At a session for the purpose of registering the names of persons entitled to vote at elections within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15h day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose; I, Daniel Kiernan, of Cloonagh, in the county of Longford, farmer, do swear, That I am a freeholder in the county of Longford, and that I have a freehold therein, arising from lands of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony, lying and being at Cloonagh, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 21st day of June, in the year 1825; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Daniel Kiernan.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.
J. Doherty,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford, } to wit. }

THIS is to certify, That Daniel Kiernan, of Cloonagh in this county, farmer, was this day duly registered, before me, as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate in Cloonagh, in the barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.
John V. Crawford,
Clerk of the Peace.

Certificate, No. 1098.—*Flood.*

James Ganly, called.

Examined by Mr. *Wrangham.*

James Ganly.

8741. WAS you present when Daniel Kiernan came up to be registered?—I was.

8742. Was he objected to on the ground of want of value?—He was.

8743. Will you tell me the number of acres and the amount of rent per acre which he registered out of?—Nine acres, one rood.

8744. At what rent?—One pound per acre.

8745. Mr. *Robinson.*] Is that your own writing?—It is.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

8746. DID you serve a notice on Daniel Kiernan?—I did.

8747. Did you serve it on himself?—Personally.

8748. Did you know him?—Well.

8749. When was it?—On the fourteenth.

8750. For the 28th, was it?—Yes.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham*.

Jacob Wiggins.

4 May 1837.

8751. DID you go to view and value the land of Daniel Kiernan of Cloonagh?—I did.

8752. What sort of land is it?—Mountainy land.

8753. Is that good or bad?—It is inferior.

8754. What is the value, taking into consideration every thing on the land, what is the highest value per acre, which in your judgment a solvent and responsible tenant could fairly afford to give in the shape of rent?—I valued it at 20*s.* an acre.

8755. Is that in your judgment the highest rent it will bring?—It is.

8756. *Committee.*] Do you know what rent he pays?—I do not.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:

"That the vote of Daniel Kiernan be struck off the poll."

Mr. *Wrangham.*] The next is John Reynolds; 35 on the poll, 170 on the list.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

8757. Mr. *Wrangham.*] DO you produce the affidavit of John Reynolds?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d Will. IV., c. 88.

"AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, John Reynolds, of Ralasonna, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Upper and Lower Ralasonna, and of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 17th day of April 1794, and 1st day of March 1821; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assignees of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Reynolds.

Sworn and subscribed in open Court,
this 22d day of October 1832.

J. F. Fosbery,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Reynolds of Ralasonna, farmer, in this county, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Upper and Lower Ralasonna, and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery,
Deputy Assistant Barrister.

John V. Crawford,
Clerk of the Peace.

Certificate, No. 1020.

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

4 May 1837.

8758. WAS you present when John Reynolds came up to be registered?—I was.
8759. Was he objected to on the ground of want of value?—He was.
8760. Tell us the number of acres and the rent out of which he registered?—He registered out of 16 acres; rent 27*l.* 8*s.*
8761. Have you got what that is per acre?—I have.
8762. What is it?—Thirty-four shillings and three halfpence per acre.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham*.

John Armstrong.

8763. DID you serve a notice on John Reynolds of Ralasonna?—Yes.
8764. Did you serve it on himself?—Personally, on the 16th.
8765. Do you know him?—Well.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham*.

Andrew Brock.

8766. DID you go to value the farm of John Reynolds of Ralasonna?—I did.
8767. What in your judgment is the highest rent per acre it would fairly bear, which a solvent and responsible tenant could fairly afford to give?—Thirty-four shillings.
8768. You are satisfied it ought not to be higher?—I am.
8769. Mr. *Robinson*.] You do not think it is worth 1*l.* 14*s.* 1½*d.*?—I do not think a solvent tenant ought to pay more than 34*s.*

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of John Reynolds be struck off the poll."

Mr. *Wrangham*.] The next is Bryan Sheridan; 64 on the poll, 178 on the list.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

8770. Mr. *Wrangham*.] DO you produce the affidavit of Bryan Sheridan?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, Bryan Sheridan, of Robinstown, in the county of Longford, farmer, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland, or division of any parish or barony lying and being at Robinstown, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument, bearing date the 10th day of July, in the year 1828; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to any person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that

Mr. *J. V. Crawford.*

4 May 1837.

that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

Bryan Sheridan.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.
J. Doherty,
Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Bryan Sheridan, farmer, of Robinstown, in this county, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Robinstown, in the barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty,
Deputy Assistant Barrister.
John V. Crawford,
Clerk of the Peace.

Certificate, No. 1108.—*Flood.*

Arthur A. Griffiths sworn.

Examined by Mr. *Wrangham.*

Arthur A. Griffiths.

8771. WAS you present when Bryan Sheridan came up to be registered?—Yes.

8772. Did you object to him on the ground of want of value?—I did.

8773. What was the number of acres he registered out of, and what rent did he pay?—Ten acres, at 1*l.* 18*s.* an acre.

8774. Mr. *Robinson.*] You heard him say that yourself?—I did.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

8775. DID you serve a notice on Bryan Sheridan?—On the door.

8776. In the same way as you did by nailing it on the door?—Yes, on the 16th, for the 28th.

8777. Mr. *Robinson.*] Did you try to get in?—I did, and I would not be let in.

8778. You know Bryan Sheridan's house, do you?—I had been there before.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham.*

Andrew Brock.

8779. DID you value the holding of Bryan Sheridan?—I did.

8780. Did you know the land before?—I did.

8781. And you also valued it again for the purpose of coming here?—I went and accompanied others that were valuing.

8782. What is the highest value per acre, which, in your judgment, a solvent and responsible tenant could fairly afford to give in the shape of rent for that holding?—Thirty-eight shillings an acre.

8783. You think he could get 38*s.*?—I think those that are paying 38*s.* for the same quality of ground have nothing to spare.

8784. *Committee.*] Do you not know in this case what the man pays?—I do not; but I know other cases in the same townland.

8785. Mr. *Wrangham.*] I understood you to say you know what his neighbour in the same townland does pay?—I do.

8786. What is that?—Thirty-eight shillings.

Cross-examined by Mr. *Robinson.*

8787. HOW do you know his neighbour pays 38*s.*?—He told me so.

8788. Who is his neighbour; what is his name?—Mr. Strong.

8789. Which

Andrew Brock.
4 May 1837.

8789. Which way did Mr. Strong vote; which side does he belong to?—I do not think he voted at all.

8790. Which side does he take in politics?—I cannot exactly tell you.

8791. Do not you know very well he takes the same side as you do?—I am not sure.

8792. Have you any doubt about it?—I would not swear it.

8793. *Committee.*] You have no doubt about it?—I have my doubts so far that I would not risk my oath or more than an opinion.

8794. Mr. *Wrangham.*] Whatever his politics are, he having the same land as this man, pays 30 *s.*?—

8795. Mr. *Robinson.*] You say this man's land is worth 38 *s.*, because another person told you he pays 38 *s.* for his land, he being of the same side as you?—The land his neighbour pays 38 *s.* for is better than the land I am now speaking of.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Bryan Sheridan be struck off the poll."

Mr. *Wrangham.*] The next vote objected to is Peter Rielly; 176 on the poll, 171 on the list.

Mr. *John Crawford*, called.

Mr. *J. V. Crawford.*

8796. Mr. *Wrangham.*] DO you produce the certificate of registry of Peter Rielly?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a county, pursuant to 2d & 3d Will. IV. cap. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, Peter Rielly, of Killana, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish lying and being at Killana, and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 25th day of February in the year 1819; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Peter Rielly.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832.

J. F. Fosbery,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Peter Rielly, of Killana, farmer, of this county, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Killana, and barony of Granard in this county. Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 982.
Flood.

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

4 May 1837.

8797. WAS you present when Peter Rielly came up to be registered?—I was.

8798. Was he objected to on the ground of want of value?—He was.

8799. Out of what quantity of acres did he register?—Fifteen acres.

8800. At what rent?—Thirty-one shillings and sixpence per acre, making in the whole 23 *l.* 12 *s.* 6 *d.*

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham*.

John Armstrong.

8801. DID you serve a notice on Peter Rielly?— On the wife, in the house.

8802. When?—On the 13th.

8803. Was anybody with you?—A gentleman that was viewing the land.

8804. Were they Mr. Brock and Mr. Wiggins?—Yes, Mr. Brock, Mr. Macauley and Mr. Wiggins.

8805. Mr. *Robinson*.] They told you where to serve it, did they?—Yes.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham*.

Jacob Wiggins.

8806. DO you know the lands of Peter Rielly of Killana?—I do.

8807. Have you known that land before?—I have; I constantly pass the road.

8808. Did you go lately to view and value that farm?—I did, on the 13th February.

8809. What is the highest rent which, in your judgment, a solvent tenant could afford to pay for it?—Thirty shillings.

8810. Mr. *Robinson*.] You did not know beforehand what this person paid, I suppose?—No, I did not inquire, but I have heard it; I took no notice of it.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Peter Rielly be struck off the poll."

Mr. *Wrangham*.] The next is the vote of Dennis Sheridan; 192 on the poll, 180 on the list.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

8811. Mr. *Wrangham*.] DO you produce the affidavit of registry of Dennis Sheridan?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 Will., IV. c. 88.

AT a general quarter sessions of the peace, holden at Longford, in and for the county of Longford, on the 5th day of April, in the year of our Lord 1836; I, Dennis Sheridan, of Cloonagh, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and lands, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses on any townland or division of any parish or barony lying and being at Cloonagh, in the barony Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 7th day of December 1797; and that I am in the actual possession thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently,

fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God. *Dennis Sheridan.*

Mr. *J. V. Crawford.*

4 May 1837.

Sworn and subscribed before me, in open Court, this 5th day of April 1836.
——— Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That Dennis Sheridan, of Cloonagh, in said county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cloonagh, in the barony of Granard, in this county. Dated this 5th day of April 1836, at Longford.

Certificate, 1617.

J. V. Crawford,
Clerk of the Peace.

George Gardiner, called.

Examined by Mr. *Wrangham.*

George Gardiner.

8812. WERE you present when Dennis Sheridan came up to be registered?—I was.

8813. Was he objected to on the ground of value?—He was.

8814. What number of acres did he register out of, and at what rent per acre?—He registered out of 15 acres of arable land, and 1 acre 3 roods of bog.

8815. That is 16 acres 3 roods altogether?—Yes, at 17*s.* per acre.

8816. *Committee.*] Did he pay 17*s.* for the acre of bog?—It is all included in the 17*s.*

8817. Mr. *Robinson.*] Let me look at your note?—I will—[*handing it.*]

8818. *Committee.*] You think he paid 17*s.* for the whole?—I do.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

8819. DID you serve a notice on Dennis Sheridan?—I did.

8820. Do you know him?—Yes.

8821. Did you serve it on him personally?—Yes.

8822. On what day?—The 18th, for the 28th.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham.*

Jacob Wiggins.

8823. DID you go to value the land of Dennis Sheridan of Cloonagh?—I did.

8824. Do you know the lands well?—I do.

8825. What is the highest rent which you think he ought to pay?—I put that, as it is a mountain farm, at 21*s.*

8826. Do you find that that is the highest rent which could fairly be obtained for it?—Every land I valued I put the highest on it.

Cross-examined by Mr. *Robinson.*

8827. How much arable was that land?—I heard there was 15 acres on the whole.

8828. Did most of it appear to be arable land?—There was a good part of it low land.

8829. How much bog; did you see any bog?—I do not recollect seeing any.

8830. Can you tell us how much was arable, and how much not?—I did not go into the particulars in that way; I think there may be 7 or 8 acres of it low ground; I did not take down the quantities of each.

8831. You cannot tell us about the proportion, how much of arable and how much of the other?—I think there were 7 or 8 acres of low ground.

8832. What did they do with that?—Pasture.

8833. Was there any house on it?—There was.

 8834. What

Jacob Wiggins.

4 May 1837.

8834. What sort of a house is it?—A large house, a two-storey house, in very bad condition.

8835. How long have you known this place?—It is 20 years.

8836. Has Sheridan lived there all that time?—I do not know; I am not near enough to know that.

8837. Do you recollect any body else living there than Dennis Sheridan?—No.

8838. Do you know whether Dennis Sheridan voted before for this?—I do not know.

8839. Do you know whether Dennis Sheridan has voted at all before for this county?—I do not; I have been present at the registry, but I never took any account of who registered.

8840. You say you never was present at an actual election?—I was present, but I never took any account; I have polled myself at elections.

8841. Tell us how much this house would, in your judgment, cost to build?—From the appearance of the outside of the house, and if it were finished well inside, I dare say it would cost 150*l.* to build.

8842. This is a farm-house with 15 acres of land?—I cannot say.

8843. So far as it appeared to you, did it appear to be about that quantity?—The land is bad; the lands in all that country are mountainy and bad.

8844. How long were you looking over the land?—Not very long; I am a pretty good judge of land, and I know the soil.

Re-examined by Mr. *Wrangham.*

8845. You have known this land for many years?—I have known the country these 20 years.

8846. You say it may take 150*l.* to finish the house, supposing it to be well finished within?—Yes, supposing it to be finished; it is of a large size.

8847. What is the house worth in its present condition?—I cannot calculate what it is worth; I know it is in bad condition.

8848. *Committee.*] How long does it appear to have been built?—A long time.

8849. How long?—I have no doubt it may be built 20 years, from its appearances.

8850. Mr. *Wrangham.*] You are not able to put a value on the house in its present condition?—No.

8851. Have you taken into consideration, in the value you laid on the land, the house; you valued the land including the house on it and all?—Yes.

8852. Mr. *Robinson.*] What do you think the land would be worth if the house was not there?—I would not take a farm there at 15*s.* an acre.

8853. Suppose you wanted a farm in that barony?—If I had no other land than that, I would not be a farmer.

8854. I dare say you would like very good land, but supposing any person in the situation of life of this man wanted a farm in that barony, what should you say he might give for this land per acre, supposing the house was not there?—There are lands in that neighbourhood set at 16*s.* per acre.

8855. I dare say there may be, but there is some much higher?—I know Mr. Bond's tenants pay that.

8856. Do you know any body who pays more; have you any doubt about it?—I have not any doubt but that there are some.

8857. Why should you say there are some that pay 16*s.*?—I know that.

8858. Do you know equally well that some pay a great deal more than 16*s.*?—I have not any doubt of it.

8859. You know Mr. Bond's property better, and are acquainted with it better?—Yes.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Dennis Sheridan be struck off the poll."

Mr. *Wrangham.*] The next is the vote of Thomas Fagan; 123 on the list, 226 on the poll.

Mr. *John V. Crawford,* called.

Mr. *J. V. Crawford.*

8860. Mr. *Wrangham.*] DO you produce the affidavit of Thomas Fegan?—I do.

[*The*

Mr. *J. V. Crawford.*

4 May 1837.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose; I, Thomas Fegan, of Springstown, farmer, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county rate, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Springstown, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 25th day of February in the year 1819; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the said freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

Thos. Fegan.

Sworn and subscribed before me, in open Court, this 15th day of November 1832.

J. Doherty,
Deputy Assistant Barrister.

County of Longford, to wit. } ENTRY of CERTIFICATE of REGISTRY.

THIS is to certify, That Thomas Fegan, of Springstown, in the county of Longford, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Springstown, in the barony of ——— in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
J. V. Crawford, Clerk of the Peace.

Certificate, No. 1238.

Arthur A. Griffiths, called.

Examined by Mr. *Wrangham.*

Arthur A. Griffiths.

8861. WERE you present when Thomas Fegan came up to be registered?—I was.

8862. Was he objected to on the ground of value?—He was.

8863. What number of acres did he swear out of, and what rent?—Ten acres; 1*l.* 11*s.* 6*d.*

8864. Mr. *Robinson.*] Is that your writing?—No, it was taken in my presence by George Gardiner.

8865. Before what registering barrister?—Before Mr. Doherty.

8866. Were you there yourself?—I was.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

8867. DID you serve a notice on Thomas Fegan, of Springstown?—Yes.

8868. Who upon?—The wife, in the house.

8869. When was that?—On the 13th, for the 28th February.

8870. Do you know the house?—I was shown it by the gentleman who was along with me, Mr. Brock.

[*The Witness was ordered to withdraw.*]

Andrew Johnstone, called.

Examined by Mr. *Wrangham.*

Andrew Johnstone.

8871. DO you know the land occupied by Thomas Fegan of Springstown?—I do.

8872. What is the highest value per acre that land will bear, in the shape of rent,

Andrew Johnstone.

4 May 1837.

rent, from a solvent and responsible tenant?—I think 3*l.* 2*s.* 6*d.* would be a high rent.

8873. Do you know who this man holds under?—I do.

8874. Who?—He holds under Mr. Brady.

8875. Is Mr. Brady the owner of the land?—He is not.

8876. Mr. *Robinson.*] How do you know that?—Miss Howerson receives one guinea per acre under the lease for ever, and my brother-in-law receives an annuity out of it from Miss Howerson, and at her death she will receive the whole of it.

8877. Mr. *Wrangham.*] Have you ever known, to your own knowledge, that Mr. Brady, who is the middleman, has himself been under an ejectment for non-payment of rent?—I do.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham.*

Andrew Brock.

8878. DID you go to the house of Thomas Fegan, of Springstown?—I went to a house said to be Fegan's, but I did not know it.

8879. Who told you it was Thomas Fegan's?—Mr. Macauley.

8880. Who is Mr. Macauley?—A gentleman of the county of Longford.

8881. He acquainted you that that was Fegan's house?—Yes.

8882. *Committee.*] M'Coy or Macauley?—Mr. Macauley was with me, and showed me a house said to be Thomas Fegan's; I did not know it.

8883. Mr. *Robinson.*] Where does he live?—In the county of Longford.

8884. What do you mean by a gentleman of that neighbourhood?—He lives, I think, within two and a half miles.

8885. What is the name of the place where he lives?—Furry Park.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the name of Thomas Fegan be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is, James Reynolds; 235 on the poll, 175 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Wrangham.*

Mr. *J. V. Crawford.*

8886. DO you produce the affidavit of registry of James Reynolds?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a general quarter sessions of the peace holden at Longford, in and for the county of Longford, on the 7th day of April in the year of our Lord 1835, I, James Reynolds, of Robinstown, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Robinstown, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 10th day of July in the year 1828; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
James ✕ *Reynolds.*
mark.

Sworn and subscribed before me, in open Court, this 7th day of April 1835.

Geo. French, Assistant Barrister.

Truly read,
Robert Bouckier.

ENTRY

ENTRY of CERTIFICATE of REGISTRY.

4 May 1837.

County of Longford.

THIS is to certify, That James Reynolds, of Robinstown, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Robinstown, barony of Granard, in this county.

Dated this 7th day of April 1835,
at Longford.

Geo. French, Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate, No. 1567.

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

8887. WERE you present when James Reynolds came up to be registered?—I was.

8888. Was he objected to on the ground of value?—He was.

8889. What number of acres did he register out of?—One acre, 2 roods and 35 perches.

8890. What rent?—Nineteen pounds seven shillings, and a shilling in the pound agent's fees; making in all 20*l.* 6*s.* 4*d.*

8891. What are the agent's fees?—The receiver's.

8892. *Committee.*] One shilling in the pound?—Yes, that is 37*s.* 6*d.* per acre.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham*.

John Armstrong.

8893. DID you serve a notice on James Reynolds, of Robinstown?—On the wife, in the house.

8894. When was that?—The 6th of April, for the 11th.

8895. Do you know James Reynolds?—No.

8896. How do you know it was the wife?—The wife admitted it was.

8897. Did you ask her?—Yes.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham*.

Andrew Brock.

8898. DID you value the holding of James Reynolds, of Robinstown?—I did.

8899. Do you know the land?—I knew the whole district before.

8900. What is the highest rent per acre you think that land is capable of bringing from a solvent and responsible tenant?—Thirty-eight shillings, the same as the last.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—
"That the vote of James Reynolds be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is Philip Brady; 165 on the poll, 113 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Wrangham*.

Mr. *J. V. Crawford.*

8901. DO you produce the affidavit of registry of Philip Brady?—I do.

[*The following Document was handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2 & 3 Will. IV. c. 88.

AT a general quarter sessions of the peace holden at Longford, in and for the county of Longford, on the 2d day of January, in the year of our Lord 1833; I, Philip Brady, of Longhill, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses, or rates and cesses, on any

Mr. *J. V. Crawford.*

4 May 1837.

any townland, or division of any parish or barony, lying and being at Longhill, in the barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge; and that the same arises by virtue of the deed, lease or instrument, bearing date the 10th day of January, in the year 1807; and that I am in the actual occupation thereof, by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same, or any part thereof, to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

his
Philip ✕ *Brady*,
mark.

Sworn and subscribed before me, in open Court, this 2d day of January 1833.

Geo. French,
Assistant Barrister.

Read by *Owen Jordan.*

ENTRY of Certificate of Registry.

County of Longford.

This is to certify, That Philip Brady, of Longhill, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Longhill, barony of Granard, in this county.

Dated this 2d day of January 1833, at Longford.

Geo. French, Assistant Barrister.
J. V. Crawford, Clerk of the Peace.

Certificate, No. 1331.

George Gardiner, called.

Examined by Mr. *Wrangham.*

George Gardiner.

8902. WERE you present at the registry when Philip Brady came up to be registered?—I was.

8903. When was that?—January 1833.

8904. Was he objected to on the ground of value?—He was.

8905. What number of acres did he register out of?—Twenty-one acres 1 rood; rent, 34*l.* 13*s.*; 33*s.* an acre.

8906. Mr. *Robinson.*] When do you say that was?—The 2d January 1833.

8907. Had he been a claimant before to register?—He had.

8908. Mr. *Wrangham.*] He was rejected?—He was.

8909. At the Reform registry?—He was.

8910. Mr. *Robinson.*] Were you there?—I was present at the Reform registry when he was rejected.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

8911. DID you serve a notice on Philip Brady, of Loughill?—I did.

8912. Did you serve the notice on him personally?—I did.

8913. Where did you serve him?—At his own door.

8914. When did you serve him?—On the 17th February, for the 28th.

[*The Witness was ordered to withdraw:*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham.*

Jacob Wiggins.

8915. DO you know the land of Philip Brady, of Loughill?—I do.

8916. You have known it some time?—I pass that road eight times a year, backwards and forwards.

8917. Did you go lately to value it?—I did.

8918. What is the highest rent per acre, including every thing, a solvent tenant could

could fairly afford to give for it in the shape of rent?—I valued it at 35*s.* an acre. *Jacob Wiggins.*

8919. Are you satisfied that is the highest rent which could fairly be put on it?—I am. 4 May 1837.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of Philip Brady be struck off the poll."

Mr. *Wrangham.*] The next vote we object to is the vote of James Glancy; 398 on the poll, 130 on the list.

Mr. *John V. Crawford*, called.

Examined by Mr. *Wrangham.*

8920. DO you produce the affidavit of registry of James Glancy?—I do. Mr. *J. V. Crawford.*

[*The following Document was then handed in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d and 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," in the county of Longford, on the 22d day of October, in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford, appointed for that purpose; I, James Glancy, of Friskhill, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10 *l.*, above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Friskhill, and barony of Granard, in the county of Longford, and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 1st day of November, in the year 1829; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instruments, or to the heirs or assigns of such person or persons, or any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

James Glancy.

Sworn and subscribed before me, in open Court,
this 22d day of October.

J. F. Fosbery,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That James Glancy, of Friskhill, in this county, farmer, was this day registered before me, at Friskhill, and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery,
Deputy Assistant Barrister.

J. V. Crawford,
Clerk of the Peace.

Certificate, No. 387.

Arthur A. Griffiths, called.

Examined by Mr. *Wrangham.*

8921. WAS you present at the registry when James Glancy came up to be registered?—I was. *Arthur A. Griffiths.*

8922. Was he objected to by you?—He was.

8923. On the ground of value?—Yes.

8924. What number of acres did he register out of?—Fourteen acres and a half.

8925. At what rent?—Twenty-nine pounds; 2*l.* an acre.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham*.

John Armstrong.

4 May 1837.

8926. DID you serve a notice on James Glancy of Friskhill?—The wife, in the house.

8927. When?—On the 21st for the 28th.

8928. Did she say any thing to you?—She told me she was Glancy's wife.

[*The Witness was ordered to withdraw.*]

Andrew Brock, called.

Examined by Mr. *Wrangham*.

Andrew Brock.

8929. DID you know the lands of James Glancy of Friskhill?—Very well.

8930. Have you lately been to value them or view them?—I think about a fortnight back I saw them.

8931. What is the highest rent per acre that you think this land would fairly bear for any solvent or responsible tenant?—Two pounds an acre.

8932. Does that include whatever buildings there are on it?—I always included the buildings.

8933. Mr. *Robinson*.] You do not know, of course, that this man actually paid 2*l*. an acre?—I do not indeed.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of John Glancy be struck off the poll."

Mr. *Wrangham*.] The next is the vote of John Kiernan of Trumore; 141 on the list, 112 on the poll.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

8934. Mr. *Wrangham*.] DO you produce the affidavit of registry of John Kiernan of Trumroe?—I do.

[*The following Document was then put in:*]

OATH of a FREEHOLDER registering a Freehold of the annual Value of Ten Pounds, in a County, pursuant to 2d & 3d Will. IV., c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 22d day of October in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of the county of Longford, appointed for that purpose; I, John Kiernan, of Trumore, farmer, of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from house and land, of the clear yearly value of 10*l*. above all rents and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Trumore, and barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of a deed, lease or instrument bearing date the 10th day of July in the year 1828; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

John Kiernan.

Sworn and subscribed before me, in open Court,
this 22d day of October 1832.

J. F. Fosbery, Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Kiernan, of Trumore, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l*., situate at Trumore, and barony of Granard, in this county.

Dated this 22d day of October 1832, at Longford.

J. F. Fosbery, Deputy Assistant Barrister.

Certificate, No. 904. *John V. Crawford*, Clerk of the Peace.

George

George Gardiner, called.

Examined by Mr. *Wrangham*.

George Gardiner.

4 May 1837.

8935. WERE you present when John Kiernan of Trumore, came up to be registered?—I was.

8936. Was he objected to on the ground of value?—He was.

8937. What number of acres did he register out of?—Fifteen acres two roods.

8938. At what rent?—One pound twelve shillings and sixpence an acre; gross rent 25*l.* 10*s.*

Cross-examined by Mr. *Robertson*.

8939. Are there two John Kiernans of the barony of Granard?—I believe there are more.

8940. How do you know this was the John Kiernan of Trumore?—I have his residence taken down.

8941. *Committee.*] Does your note mention Trumore?—It does.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham*.

John Armstrong.

8942. DID you serve a notice on John Kiernan of Trumore?—I did on John Kiernan of Cloonagh.

8943. I am asking you about John Kiernan of Trumore; have you got any memorandum?—I have.

8944. Mr. *Robinson.*] Did you make that note at the time?—Yes.

8945. Mr. *Wrangham.*] Look at that paper—[*handing a paper to the Witness*]—is that yours?—Yes.

8946. Mr. *Robinson.*] Is that your writing?—Yes.

8947. Did you write it with your own hand?—No.

8948. Mr. *Harrison.*] Was it written in your presence?—It was.

8949. Mr. *Robinson.*] When was it written?—Yesterday evening.

8950. Mr. *Wrangham.*] What was it copied from?—From that book.

8951. Mr. *Robinson.*] How do you know that it was copied?—In my own presence.

8952. How do you know it was copied from that book?—It was done in my presence.

8953. And you wrote it down there?—Yes, I did.

8954. You say you wrote that last night?—Yes.

8955. Did you write that book?—A good part of it.

8956. Is that your handwriting?—It was Macoy's, the man that was along with me.

8957. He wrote it down in your presence?—Yes.

8958. Do you know, from looking at that, that you served a notice on John Kiernan of Trumore?—On his wife, in the house.

8959. Why did you not write that yourself, if you served it?—The day had been so very cold, and at the moment I had a shaking in my hand.

8960. Are you sure it was not from whisky?—I am sure of it.

8961. Did not you serve some of those notices, and the man you spoke of served others?—He never served one.

8962. You served them all?—Yes.

8963. Mr. *Wrangham.*] And sometimes you, and sometimes he, put the note in the book?—When my hands would be cold, I made him put it down.

8964. Mr. *Robinson.*] Do you know this John Kiernan of Trumore?—I was shown the house by the gentleman with me.

8965. Who was that?—Mr. Wiggins and Mr. Brock.

8966. Are you sure you can write when your hand does not shake?—Yes.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham*.

Jacob Wiggins

8967. DO you know the land of John Kiernan of Trumore?—I do.

8968. Did you go to value it lately?—I was there in February.

8969. Now,

Jacob Wiggins.

4 May 1837.

8969. Now, what is the highest value per acre, taking every thing into account, which, in your judgment, a solvent and responsible tenant could fairly afford to give for it as a rent?—I will refer to my note.

8970. Mr. *Robinson.*] When did you write that note; was it written at the time?—Yes, it was.

8971. Mr. *Wrangham.*] Can you tellus, from looking at that, what is the highest value you give per acre?—I have John Kiernan of Cloonagh.

8972. I want John Kiernan of Trumore; have you found him?—Yes.

8973. What is the value?—Thirty-eight shillings.

8974. Mr. *Robinson.*] That is your writing, is it?—No, it is the writing of Macoy.

8975. When did he write that?—The evening of the day we valued it.

8976. Did you see it then?—I did, and I put the initials of my name.

8977. Is it "a comfortable farm-house or cabin"?—It is.

8978. Mr. *Wrangham.*] Is that the reason you put so high a value on it?—It is partly a reason; the lands are very good themselves.

8979. What do you say the land is worth?—One pound eighteen shillings an acre.

The witness was ordered to withdraw; the Committee came to the following resolution:—

"That the vote of John Kiernan of Trumroe be struck off the poll."

Mr. *Wrangham.*] The next is John Kiernan of Cloonagh; 143 on the list, 172 on the poll.

Mr. *John V. Crawford*, called.

Mr. *J. V. Crawford.*

8980. DO you produce the affidavit of John Kiernan of Cloonagh?—I do.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds in a County, pursuant to 2 & 3 WILL. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the deputy of the assistant barrister of the county of Longford appointed for that purpose; I, John Kiernan, of Cloonagh, in the county of Longford, do swear, that I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and lands, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony lying and being at Cloonagh, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 21st day of June in the year 1825; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or for any one in trust for him, her or them; nor do I intend to let the same or any part thereef to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
John ⋈ Kiernan.
mark.

Sworn and subscribed before me, in open Court, this 15th day of November 1832.

J. Doherty, Deputy Assistant Barrister.

Truly read by me, *Mich. M'Guin.*

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify that John Kiernan, of Cloonagh, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Cloonagh, barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1010.—*Flood.*

James

James Ganly, called. *James Ganly.*

Examined by Mr. *Wrangham.*

4 May 1837.

8981. WERE you present when John Kiernan of Cloonagh came up to be registered?—I was.

8982. Was he objected to on the ground of value?—He was.

8983. What number of acres did he register out of?—Ten acres.

8984. At what rent?—One pound per acre.

8985. Mr. *Robinson.*] Is that your writing?—It is.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

8986. DID you serve a notice on John Kiernan of Cloonagh?—I did. *John Armstrong.*

8987. When was that?—The 14th.

8988. For the 28th?—Yes.

8989. On whom?—Wife, in the house.

8990. Mr. *Thesiger.*] You know it was his wife?—Yes.

8991. And his house?—Yes.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham.*

8992. DID you go to value the land of John Kiernan of Cloonagh?—I did. *Jacob Wiggins.*

8993. What is the highest value per acre which, in your judgment, a solvent and responsible tenant can fairly afford to give for it as rent?—I put 25 *s.* an acre on that; it is a comfortable place.

8994. Is that the reason you give him 25 *s.* an acre?—It was.

8995. Are you satisfied that is the highest rent that ought to be paid for it?—In my judgment.

8996. Mr. *Robinson.*] Is that as good land, or better, than John Kiernan's of Cloonagh?—It is not so good; the neighbourhoods differ.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of John Kiernan, of Cloonagh, be struck off the poll."

Mr. *Wrangham.*] The next is John Reilly; 193 on the poll, 114 on the list.

Mr. *John V. Crawford*, called. Mr. *J. V. Crawford.*

8997. Mr. *Wrangham.*] DO you produce the affidavit of John Reilly of Trumore?—Yes.

[*The following Document was put in:*]

£.10. Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a County, pursuant to 2d & 3d Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the second and third year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the deputy of the assistant barrister of the county of Longford appointed for that purpose; I, John Reilly, of Trumore, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10*l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish or church cesses or rates, and cesses on any townland or division of any parish or barony, lying and being at Trumore, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease or instrument bearing date the 25th day of March in the year 1828; and that I am in the actual occupation thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend

Mr. *J. V. Crawford.*

4 May 1837.

intend to let the same or any part thereof to such person or persons, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me God.

John Reilly.

Sworn and subscribed before me, in open Court,
this 15th day of November 1832.

J. Doherty,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify, That John Reilly, of Trumore, in this county, farmer, was this day duly registered before me as a voter for this county, in right of a freehold of the yearly value of 10*l.*, situate at Trumore, barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1009.—*Flood.*

James Ganly, called.

Examined by Mr. *Wrangham.*

James Ganly.

8998. WERE you present at the registry when John Reilly, of Trumore came up to be registered?—I was.

8999. Was he objected to on the ground of value?—Yes.

9000. What number of acres did he register out off?—Sixteen.

9001. At what rent?—Twenty-six pounds.

9002. That would be 1 *l.* 12 *s.* 6 *d.* an acre?—Exactly.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Wrangham.*

John Armstrong.

9003. DID you serve a notice on John Reilly, of Trumore?—Yes.

9004. Did you know the house?—Yes.

9005. When did you serve it?—On the 18th, I think.

9006. Mr. *Thesiger.*] Upon whom?—A maid in the house.

9007. How do you know she was a maid?—I do not know whether she was a maid or not; I did not ask her.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham.*

Jacob Wiggins.

9008. DO you know the land of John Kiernan, of Trumore?—I do.

9009. Have you been there lately?—In February.

9010. To value it?—Yes.

9011. What is the highest rent per acre that you can put on that, as the rent which a solvent tenant could afford to pay?—I valued it at 40 *s.* an acre.

9012. You think that is the highest rent it would bear?—I think so.

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:—

"That the vote of John Reilly be struck off the poll."

Mr. *Wrangham.*]—The next is James Reilly of Ballymore; 256 on the poll, 169 on the list.

Mr. *John V. Crawford*, called.

Mr *J. V. Crawford.*

9013. Mr. *Wrangham.*] DO you produce the affidavit of registry of James Reilly?—I do.

[*The*

4 May 1837.

[*The following Document was then put in:*]

£.10 Freehold. County. By Deed.

OATH of a FREEHOLDER registering a Freehold of the annual value of Ten Pounds, in a county, pursuant to 2 & 3 Will. IV. c. 88.

AT a session for the purpose of registering the names of persons entitled to vote at elections, within an Act passed in the 2d & 3d year of His present Majesty's reign, intituled, "An Act to amend the Representation of the People of Ireland," holden at Longford, in the county of Longford, on the 15th day of November in the year of our Lord 1832, by and before the Deputy of the Assistant Barrister of and for the county of Longford appointed for that purpose; I, James Reilly of Ballymore, in the county of Longford, do swear, That I am a freeholder of the county of Longford, and that I have a freehold therein, arising from houses and land, of the clear yearly value of 10 *l.* above all rent and charges payable out of the same, except only public or Parliamentary taxes, county, parish, or church cesses and rates and cesses on any townland or division of any parish or barony lying and being at Ballymore, barony of Granard, in the county of Longford; and that the said freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease, or instrument bearing date the 1st day of May in the year 1827, and that I am in the actual possession thereof by residing, tilling and grazing; and that the freehold is not let or agreed to be let to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her or them; nor do I intend to let the same or any part thereof to such person or person, or any of them; and that I have not agreed to let it for the term for which I hold it; and that I have not procured or accepted the said freehold fraudulently, nor in exchange for a freehold in any other county, city or town. So help me GOD.

his
James ⋈ *Reilly*,
mark.

Truly read by me, *Edward Moody*, junior.
Sworn and subscribed before me, in open Court,
this 15th day of November, 1832.
J. Doherty,
Deputy Assistant Barrister.

ENTRY of CERTIFICATE of REGISTRY.

County of Longford.

THIS is to certify that James Reilly, of Ballymore, in this county, farmer, was this day duly registered before me, as a voter for this county, in right of a freehold of the yearly value of 10 *l.*, situate at Ballymore, barony of Granard, in this county.

Dated this 15th day of November 1832, at Longford.

J. Doherty, Deputy Assistant Barrister.
John V. Crawford, Clerk of the Peace.

Certificate No. 1043.—*Flood.*

Mr. *Arthur A. Griffiths*, called.

Examined by Mr. *Wrangham*.

Mr. *Arthur A. Griffiths.*

9014. WERE you present at the registry when James Reilly, of Ballymore, came up to be registered?—Yes.

9015. Was he opposed by you on account of the want of value?—He was.

9016. What number of acres did he register out of, and what rent?—Eleven acres fifteen perches, for which he paid 1 *l.* 9 *s.* per acre.

[*The Witness was ordered to withdraw.*]

John Armstrong, called.

Examined by Mr. *Whitesides*.

John Armstrong.

9017. DID you serve a notice on James Reilly of Ballymore?—Yes.

9018. On the 27th?—Yes.

9019. Did you serve it personally?—On himself in person.

[*The Witness was ordered to withdraw.*]

Jacob Wiggins, called.

Examined by Mr. *Wrangham*.

Jacob Wiggins.

9020. DO you know the land of James Reilly, of Ballymore?—I do.

9021. Have you been to value that land?—I have.

 9022. What

Jacob Wiggins.

4 May 1837.

9022. What is the highest rent which a solvent and responsible tenant could afford to give for it per acre?—I valued it at 40*s.*

[*The Witness was ordered to withdraw.*]

The Committee came to the following resolution:

"That the vote of James Reilly be struck off the poll."

Mr. *Wrangham* stated they had now a majority of one on the poll.

Mr. *Thesiger*, on behalf of Mr. White, stated, he withdrew from the contest.

Mr. *Harrison* then asked the Committee to declare Mr. Fox was duly elected, and ought to have been returned.

The Committee-room was cleared, and on Counsel and Agents being called in, they were informed by the Chairman, that the Committee had agreed to the following Report:—

"That Luke White, Esq., is not duly elected a Knight to serve in this present Parliament for the said county of Longford:

"That Charles Fox, Esq., is duly elected, and ought to have been returned a Knight to serve in this present Parliament for the said county:

"That the petition of Lovell Edgeworth and others, did not appear to the said Committee to be frivolous or vexatious:

"That the petition of Charles Fox did not appear to the said Committee to be frivolous or vexatious:

"That the opposition to the said petitions did not appear to the said Committee to be frivolous or vexatious:

"That the Committee have altered the poll taken at the said election by striking off—

No. of Registry.	NAME OF VOTER.	TOWNLAND.	BARONY.	Date of Registry.
Not on Register.	Henry Lynch	Clooning	Granard.	—
	James Sheridan	Dunnard	Longford.	—
1,503	Michael Reynolds	Tenalough	Abbyshrule	6 Apr. 1835.
981	Hugh Quane	Ballyclonghan	Moydow	22 Oct. 1832.
1,076	James M'Cormick	Streamstown	Abbyshrule	Oct. 1832.
934	John Ledwith	Ballyclonghan	Moydow	Oct. 1832.
1,473	James Doherty	Kilcurry	Abbyshrule	6 Apr. 1835.
1,017	Mark Crourke	Cornakelly	Longford	Oct. 1832.
1,290	John Cody	Killenbore	Abbyshrule	Nov. 1832.
1,054	Michael Simons	Rathmore	Abbyshrule.	—
1,502	Patrick Newman	Ballyglasson	Abbyshrule	6 Apr. 1832.
1,496	Lawrence Murtagh	Ballyglasson	Abbyshrule	6 Apr. 1835.
543	Brian Mannion	Keelbawn	Abbyshrule	Oct. 1832.
899	Brian Karney	Tenelick	Abbyshrule	Oct. 1832.
896	Bryan Jordan	Lislum	Abbyshrule	Oct. 1832.
1,062	John Farrell	Lislum	Abbyshrule	Nov. 1832.
1,207	Thomas Farrell	Creivaghmore	Abbyshrule	Nov. 1832.
231	John Claney	Clonwheelin	Ardagh	Oct. 1832.
232	Michael Carney	Cartronawar	-	Oct. 1832.
1,215	Patrick Donhorn	Grillagh	-	Nov. 1832.
312	Thomas Farrell	Loughall	-	Oct. 1832.
900	John Karney	Cartronawar	Ardagh	Oct. 1832.
548	John Montgomery.	—	—	—
555	David Mathews	Fortmills.	—	—
571	Patrick M'Grath	Lisfarrel.	—	—
957	James M'Cormick	Ballygar	-	Nov. 1832.
959	Owen M'Manicle	Grillagh.	—	—
690	Bernard Newman	Cartronawar	-	Oct. 1832.
1,114	Francis Whelan	Lisfarrel	-	Nov. 1832.
1,578	Peter Early	Kilfinton	-	June 1835.
248	Daniel Cunningham	Blenavoher	Ratheline	Oct. 1832.
1,470	Thomas Chapman	St. Alban's	-	Apr. 1835.

No. of Register.	NAME OF VOTER.	TOWNLAND.	BARONY.	Date of Registry.
1,598	John Chapman	- - -	- - - -	4 Apr. 1836.
1,608	Peter Clarke	Fort William	- - - -	Apr. 1836.
1,091	Bryan Dowd	Aughnacross	- - - -	Nov. 1832.
1,247	John Down	- - - -	- - - -	Nov. 1832.
1,475	Thomas Daly	Carrawshawly	- - - -	Apr. 1835.
366	John Farrell	Turreen	- - - -	Oct. 1832.
879	Thomas Flanagan	Fosslongford.	—	—
1,480	Cornelius Farrell	Lahery	- - - -	Apr. 1835.
1,600	Patrick Farrell	Lismacnus	- - - -	Apr. 1836.
404	John Gavigorn	Turreen	- - - -	Oct. 1832.
1,483	Henry Green	Elfeed	- - - -	Apr. 1835.
1,484	Thomas Green.	—	—	—
923	Charles Kennedy	Aughnacross	- - - -	Oct. 1832.
1,603	Dominick Keegan	Carrerow	Ratholine	Apr. 1836.
1,605	Peter Martin	Blenavoher.	—	—
1,072	Charles Walker	Balanahinch.	—	—
1,029	Michael Sweeney	Drumming	Moydow	Oct. 1832.
646	Thomas M'Cormick	Ganycar.	—	—
1,173	Patrick Dolan	Corboy	Longford	Nov. 1832.
1,206	William Dononhoe	Drumard.	—	—
1,221	Michael Dowd	Drimnacooly	Ardagh	Nov. 1832.
1,409	William Farrell	Crieve	Longford	June 1833.
893	Patrick Heslin.	—	- - - -	Oct. 1832.
166	Patrick Brady	Killeen	Ardagh.	—
176	Thomas Brady	Aughanaran	Granard.	—
164	James Beglan	Puncoold.	—	—
1,189	Cormack Dowd	Ballymore	- - - -	Nov. 1832.
1,203	Hugh Donohoe	Farmallough.	—	—
870	Jereme Flood	Rathbrackin	- - - -	Oct. 1832.
890	Matthew Flood	Ballymore	- - - -	Oct. 1832.
914	Michael Kiernan	Clewnagh	—	—
1,208	Thomas Kiernan	Ballyduffy	- - - -	Nov. 1832.
1,537	Patrick Kelly	Aughagrea	- - - -	7 Apr. 1835.
963	Matthew Lee	Lislea	- - - -	Nov. 1832.
951	Matthew M'Gurk	Friskill	- - - -	Oct. 1832.
990	Burnard M'Gennis	Coolagrty	- - - -	Nov. 1832.
984	Patrick M'Cormick	Longhill.	—	—
989	Henry M'Givmey	Fuskhill.	—	—
948	James M'Kabe	Aughanoran	- - - -	Oct. 1832.
950	Patrick M'Cabe.	—	—	—
949	Thomas M'Gaheran	Aughanoran	Granard	Oct. 1832.
1,032	Brian Tracey	Ballymore.	—	—
1,014	Patrick Reily	Carrickduff.	—	—
1,031	John Tuiete	Clewnagh.	—	—
387	James Glancy	Friskill.	—	—
1,108	Brian Sheridan	Robinstown	- - - -	Nov. 1832.
1,043	James Reily	Ballymore	- - - -	Nov. 1832.
1,596	Edward O'Neill	Clewneen	- - - -	5 Jan. 1836.
979	Hugh O'Neill	Manypool	- - - -	Oct. 1832.
988	Miles Reily	Trumroe	- - - -	15 Nov. 1832.
1,007	Edward Reily	-- Muckerstaff or Willsbrook.	- - - -	Nov. 1832.
977	Patrick Naunery	Ballymore	- - - -	Oct. 1832.
1,098	Daniel Kiernan	Clewnagh	- - - -	Nov. 1832.
1,020	John Reynolds	-- Upper and Lower Killesona.	- - - -	Oct. 1832.
982	Peter Riley	Killana.	—	—
1,617	Dennis Sheridan	Cleronagle	- - - -	Apr. 1836.
1,238	Thomas Fagan	Springtown	- - - -	Nov. 1832.
1,567	James Reynolds	Robinstown	- - - -	Apr. 1835.
1,331	Philip Brady	Langhill	- - - -	Jan. 1833.
904	John Kiernan	Trumroe	- - - -	Oct. 1832.
1,010	John Kiernan	Clewnagh	- - - -	Nov. 1832.
1,009	John Reily	Trumroe.	—	—

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as not having a legal right to vote at the said Election ; and the Committee have agreed to make this special Report to The House :

" That it seems to them highly desirable that some declaratory Act should be passed in order to ensure uniformity of practice and decision respecting the true meaning and intent of certain clauses of the Act to amend the Representation of the People in Ireland : the Committee suggest Parliament should decide, by some distinct enactment, whether the admission

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mission of voters to the registry by the Assistant Barrister ought to be deemed conclusive of their right to vote, or whether such registry ought to be opened, either partially or entirely, by an inquiry into such voter's right before a Committee of the House of Commons.

"The Committee also suggest that the nature and amount of the elective franchise in Irish counties should be defined so clearly that the right to vote may no longer depend upon the varying decisions, either of Assistant Barristers or of Committees of the House of Commons."